

UNOFFICIAL VERSION

TUESDAY, JUNE 16, 2020

SEVENTY-FIRST LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker Sexton.

The proceedings were opened with prayer by Rep. Hakeem.

Representative Hakeem led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 94

Representatives present were Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 94

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Cooper

Representative DeBerry

Representative Camper

Representative Coley

PRESENT IN CHAMBER

Rep. Parkinson was recorded as being present in the Chamber.

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SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 343 Reps. Gant, Sparks and Lamberth as prime sponsors.

House Joint Resolution No. 1238 Rep. Hawk as prime sponsor.

House Joint Resolution No. 1241 Rep. Hawk as prime sponsor.

House Bill No. 547 Reps. Hodges, Windle, G. Johnson, Staples, Terry, Stewart, White, Hakeem and Lamar as prime sponsors.

House Bill No. 1131 Reps. Hardaway and Hodges as prime sponsors.

House Bill No. 1594 Rep. Russell as prime sponsor.

House Bill No. 1862 Reps. Freeman, G. Johnson, Love, Dixie, Towns, Hardaway, Powell, Parkinson, Hakeem, Ramsey, Moon and Stewart as prime sponsors.

House Bill No. 2093 Reps. Parkinson, Hardaway, Coley, Love, Beck, Chism, Thompson, Powell, Dixie, Ramsey, Hazlewood, Freeman, G. Johnson, Towns, White, Whitson, Stewart, Smith, Terry and Sparks as prime sponsors.

House Bill No. 2126 Rep. Coley as prime sponsor.

House Bill No. 2283 Reps. Smith, Doggett, Helton and Powers as prime sponsors.

House Bill No. 2578 Rep. Hardaway as prime sponsor.

House Bill No. 2623 Reps. Garrett, Bricken, Boyd, Sherrell, Byrd, Smith, Marsh, Daniel, Calfee, Moon, Powers, Helton and White as prime sponsors.

House Bill No. 2706 Rep. Todd as prime sponsor.

House Bill No. 2708 Reps. Terry, Williams, Lamar, G. Johnson, Dixie, Powell, Thompson, Powers and Stewart as prime sponsors.

House Bill No. 2768 Rep. Daniel as prime sponsor.

House Bill No. 2867 Rep. Littleton as prime sponsor.

House Bill No. 2881 Reps. Hodges, White, Byrd, Terry, Faison, Sparks and Daniel as prime sponsors.

House Bill No. 2900 Rep. Stewart as prime sponsor.

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RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for June 17, 2020:

House Resolution No. 355 -- Memorials, Professional Achievement - Charvarius Ward. by *Terry.

House Resolution No. 356 -- Memorials, Professional Achievement - Darius Harris. by *Terry.

House Resolution No. 357 -- Memorials, Professional Achievement - James Winchester. by *Terry.

House Resolution No. 358 -- Memorials, Personal Achievement - Margo Leskinen, Prudential Community of Spirit Award. by *Terry.

House Resolution No. 360 -- Memorials, Public Service - Latonya Jackson. by *Hurt.

House Resolution No. 361 -- Memorials, Interns - Jamir Jackson. by *Staples.

House Resolution No. 362 -- Memorials, Interns - Gabriel S. Massey. by *Staples, *Lafferty.

House Resolution No. 363 -- Memorials, Public Service - Members of the Tennessee Highway Patrol and Tennessee National Guard who protect the State Capitol. by *Faison, *Lamberth, *Sexton C, *Zachary, *Williams, *Todd, *Ogles, *Windle, *Towns, *Holt, *Coley, *Eldridge, *Reedy, *Lafferty, *Marsh, *Helton, *Keisling, *Hill M, *Weaver, *Carr, *Littleton, *Daniel, *Dunn, *Curcio, *Crawford, *Hulsey, *Smith, *Russell, *Baum, *Rudd, *Moody.

House Resolution No. 364 -- Memorials, Sports - Oakland High School, Daily News Journal All Sports Award Trophy. by *Terry.

House Resolution No. 365 -- Memorials, Government Officials - Honors Secretary of State Tre Hargett. by *Weaver, *Ragan, *Daniel, *Littleton, *Griffey, *Doggett, *Sexton J, *White, *Hulsey, *Byrd, *Smith, *Moody, *Dunn, *Faison, *Boyd, *Keisling, *Lynn, *Ogles, *Cepicky, *Terry, *Rudder, *Hill M, *Kumar, *Lamberth, *Hill T, *Van Huss, *Lafferty, *Wright, *Halford, *Moon, *Gant, *Carter, *Powers, *Rudd, *Baum, *Carr, *Tillis, *Crawford, *Casada.

House Resolution No. 366 -- Memorials, Recognition - The Emanuel Nine. by *Love, *Hardaway, *Staples, *Lamar, *Dixie, *Shaw, *Chism, *Parkinson, *Hakeem, *Miller, *Towns, *Stewart, *Faison, *Lamberth, *Curcio.

House Resolution No. 367 -- Memorials, Recognition - Boy Scout Troop 108, 108th anniversary. by *Williams.

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***House Joint Resolution No. 1242** -- Memorials, Retirement - Robert Gardner. by *Kumar.

***House Joint Resolution No. 1243** -- Memorials, Retirement - Gary B. Anderson. by *Whitson.

***House Joint Resolution No. 1244** -- Memorials, Retirement - Assistant Chief Tommy Walsh, Brentwood Police Department. by *Whitson.

REPORTS FROM STANDING COMMITTEES

The committees that met on **June 16, 2020**, reported the following:

FINANCE, WAYS, AND MEANS COMMITTEE

The Finance, Ways, and Means Committee recommended for passage: House Bills Nos. 2236, 2248, 1883, 2191, 2192, 2053, 1843, 1903, 384, 1890, 862, 2067, 1673, 2858, 2507, 1806, 2168, 1640, 2052, 2498, 2492, 1424 and 1949, also House Bills Nos. 2515, 1615, 1570, 2350, 1387, 2734, 1715, 1816, 1576, 2620 and House Joint Resloution No. 815 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bills on the **Appropriations Calendar for June 17, 2020**: House Bills Nos. 2924, 2922, and 2930.

CONSENT CALENDAR

***House Bill No. 2459** -- Local Government, General - As introduced, authorizes local governments to add the cost of a criminal history background check for an applicant for a beer permit or adult-oriented establishment as a separate fee instead of including such cost in the application fee for the license or permit. - Amends TCA Title 7, Chapter 51, Part 11 and Title 57, Chapter 5. by *Griffey.

***House Bill No. 1857** -- County Government - As introduced, authorizes a county, upon two-thirds vote of the county legislative body, to dispose of real property at a nominal cost by private negotiation and sale to a 501(c)(3) nonprofit corporation, incorporated under the laws of this state, whose purpose includes educational services to youth in areas including health, science, agriculture, and civic engagement through in-school and after-school programs and school and community clubs and camps. - Amends TCA Title 5. by *Hill T.

On motion, House Bill No. 1857 was made to conform with **Senate Bill No. 1862**; the Senate Bill was substituted for the House Bill.

House Bill No. 2933 -- Sullivan County - Subject to local approval, enacts the Sullivan County Financial Management System of 2020. by *Hulse.

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On motion, House Bill No. 2933 was made to conform with **Senate Bill No. 2937**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2235** -- Financial Institutions, Dept. of - As introduced, allows the commissioner to require applicants for money transmitter licensure to consent to a criminal history records check and to submit a fingerprint sample; revises other provisions regarding money transmitters. - Amends TCA Title 45, Chapter 7, Part 2. by *Lamberth, *Gant, *Leatherwood.

On motion, House Bill No. 2235 was made to conform with **Senate Bill No. 2166**; the Senate Bill was substituted for the House Bill.

House Bill No. 2041 -- Industrial Development - As introduced, creates an exception to the prohibition on an industrial development corporation purchasing a hotel, motel, or apartment building, if the project is a tourism attraction involving an aggregate investment of public and private funds in excess of \$75 million. - Amends TCA Title 7, Chapter 53. by *Todd, *Shaw.

On motion, House Bill No. 2041 was made to conform with **Senate Bill No. 1956**; the Senate Bill was substituted for the House Bill.

House Bill No. 1851 -- Unclaimed Property - As introduced, increases from "eight months to a year" to "32 to 36 months" the time within which the treasurer must sell a security after receiving it; extends from "eight months" to "32 months" the minimum time period during which the treasurer is required to hold a security prior to selling it and paying the sale proceeds to the owner, upon the owner's request. - Amends TCA Section 66-29-142 and Section 66-29-154. by *Zachary.

On motion, House Bill No. 1851 was made to conform with **Senate Bill No. 1634**; the Senate Bill was substituted for the House Bill.

House Resolution No. 350 -- Memorials, Congratulations - Commends the legislature's efforts to include non-discrimination and race relations information in the legislature's workplace training programs. by *Hardaway.

House Resolution No. 351 -- Memorials, Recognition - Dr. Mary Edwards Walker. by *Smith, *Carter, *Hakeem, *Hazlewood, *Helton, *Boyd, *Calfee, *Camper, *DeBerry, *Halford, *Hall, *Hodges, *Johnson C, *Moon, *Parkinson, *Reedy, *Stewart, *Thompson, *Van Huss, *Wright, *Cooper, *Johnson G, *Lamar, *Littleton, *Lynn, *Moody, *Rudder, *Weaver, *Baum, *Beck, *Bricken, *Byrd, *Carr, *Casada, *Cepicky, *Clemmons, *Cochran, *Coley, *Crawford, *Curcio, *Daniel, *Dixie, *Doggett, *Dunn, *Eldridge, *Faison, *Farmer, *Freeman, *Gant, *Garrett, *Griffey, *Grills, *Hardaway, *Haston, *Hawk, *Hicks, *Hill M, *Hill T, *Holsclaw, *Holt, *Howell, *Hulsey, *Hurt, *Jernigan, *Keisling, *Kumar, *Lafferty, *Lamberth, *Leatherwood, *Love, *Marsh, *Miller, *Mitchell, *Ogles, *Potts, *Powers, *Ramsey, *Rudd, *Russell, *Sexton C, *Sexton J, *Shaw, *Sherrell, *Sparks, *Terry, *Tillis, *Todd, *Towns, *Travis, *Vaughan, *White, *Whitson, *Williams, *Windle, *Zachary.

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House Resolution No. 353 -- Memorials, Recognition - Sonya Renea Grant. by *Williams.

House Resolution No. 354 -- Memorials, Recognition - Crossroads: Change in Rural America exhibition. by *Curcio, *Littleton.

***House Joint Resolution No. 1233** -- Memorials, Academic Achievement - Parker Martz, Salutatorian, Bearden High School. by *Daniel.

***House Joint Resolution No. 1234** -- Memorials, Academic Achievement - Samaya Baljepally, Valedictorian, Bearden High School. by *Daniel.

***House Joint Resolution No. 1235** -- Memorials, Professional Achievement - Dr. Nancy Williamson, University of Tennessee Educators Hall of Honor. by *Keisling.

***House Joint Resolution No. 1236** -- Memorials, Congratulations - Commend the legislature's efforts to include non-discrimination and race relations information in the legislature's workplace training programs. by *Hardaway.

***House Joint Resolution No. 1237** -- Memorials, Interns - Makayla D. Martin. by *Sparks, *Hakeem.

***House Joint Resolution No. 1238** -- Memorials, Retirement - Dr. Judy Webb. by *Faison, *Hawk.

***House Joint Resolution No. 1239** -- Memorials, Recognition - Dale P. Bowling. by *Leatherwood.

***House Joint Resolution No. 1240** -- Memorials, Death - Anna J. Shepherd. by *Jernigan, *Freeman.

***House Joint Resolution No. 1241** -- Memorials, Retirement - Holly H. Jaynes. by *Hicks, *Hawk.

***Senate Joint Resolution No. 1356** -- Memorials, Death - Anna Shepherd. by *Haile, *Gilmore, *Yarbro.

Rep. Smith moved that all members voting aye on House Resolution No. 351 be added as co-prime sponsors with the Hamilton County delegation listed first, the Veterans Caucus listed second, all female legislators listed third and all remaining members listed fourth, which motion prevailed with the following member not added pursuant to the signed Sponsor Exclusion form: Rep. Ragan.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

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VERSION**

Ayes 90
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Potts, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--90

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "not voting" to "aye" on **Consent Calendar** and have this statement entered in the Journal: Reps. Parkinson and Powell.

REGULAR CALENDAR FROM JUNE 15, 2020, CONTINUED

***House Bill No. 2113** -- Handgun Permits - As introduced, requires the acceptance of enhanced handgun carry permits and concealed handgun carry permits as valid forms of government-issued photo identification the same as a driver license for purposes of access to goods, services, and facilities. - Amends TCA Title 39, Chapter 17 and Title 55, Chapter 50. by *Grills, *White, *Griffey, *Van Huss, *Cepicky, *Doggett, *Moody, *Hill M, *Hill T, *Kumar, *Leatherwood, *Hall, *Eldridge, *Sexton J, *Ogles, *Curcio, *Littleton, *Powers, *Terry. (SB2082 by *Haile, *White, *Reeves)

Rep. Grills moved that **House Bill No. 2113** be reset for the Regular Calendar on June 18, 2020, which motion prevailed.

House Bill No. 2093 -- Children's Services, Dept. of - As introduced, requires the department to publish the guidelines for the best practices for identifying and reporting signs of child abuse, child sexual abuse, and human trafficking in which the victim is a child on the department's website. - Amends TCA Title 36; Title 37; Title 38; Title 39; Title 40 and Title 71. by *Hakeem, *Hodges, *Potts, *Lamar, *Mitchell, *Clemmons, *Parkinson, *Hardaway, *Coley, *Love, *Beck, *Chism, *Thompson, *Powell, *Dixie, *Ramsey, *Hazlewood, *Freeman, *Johnson G, *Towns, *White, *Whitson, *Stewart, *Smith, *Terry, *Sparks. (*SB2043 by *Gilmore)

Rep. Hakeem moved that **House Bill No. 2093** be passed on third and final consideration, which motion prevailed by the following vote:

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VERSION**

Ayes 94
Noes 0
Present and not voting 1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--
94

Representatives present and not voting were: Griffey--1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 2093** and have this statement entered in the Journal: Rep. Whitson.

REGULAR CALENDAR FROM JUNE 15, 2020, CONTINUED

House Bill No. 1862 -- Employees, Employers - As introduced, prohibits marketplace platforms from keeping tips intended for marketplace contractors. - Amends TCA Title 50; Title 56 and Title 62. by *Beck, *Freeman, *Johnson G, *Love, *Dixie, *Towns, *Hardaway, *Powell, *Parkinson, *Hakeem, *Ramsey, *Moon, *Stewart. (*SB1796 by *Yarbro, *Gilmore)

On motion, House Bill No. 1862 was made to conform with **Senate Bill No. 1796**; the Senate Bill was substituted for the House Bill.

Rep. Beck moved that Senate Bill No. 1796 be passed on third and final consideration.

Rep. Boyd moved adoption of Consumer and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1796 by deleting SECTION 2 and substituting the following:

SECTION 2. This act shall take effect October 1, 2020, the public welfare requiring it.

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On motion, Consumer and Human Resources Committee Amendment No. 1 was adopted.

Rep. Powell moved the previous question, which motion prevailed by the following vote:

Ayes 67
Noes..... 25

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Carter, Cepicky, Chism, Clemmons, Coley, Curcio, Dixie, Faison, Farmer, Freeman, Gant, Garrett, Hakeem, Halford, Hall, Hardaway, Hawk, Hazlewood, Helton, Hicks, Hodges, Holsclaw, Howell, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Love, Lynn, Marsh, Miller, Moon, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Russell, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary--67

Representatives voting no were: Calfee, Carr, Casada, Cochran, Crawford, Daniel, Doggett, Dunn, Eldridge, Griffey, Haston, Hill T, Holt, Hulsey, Hurt, Leatherwood, Littleton, Moody, Ogles, Reedy, Rudd, Rudder, Sexton J, Todd, Van Huss--25

Rep. Beck moved that **Senate Bill No. 1796**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 70
Noes..... 17
Present and not voting..... 7

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Curcio, Dixie, Eldridge, Faison, Farmer, Freeman, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hodges, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Rudd, Russell, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Towns, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary--70

Representatives voting no were: Calfee, Crawford, Daniel, Doggett, Garrett, Grills, Hill T, Holt, Hulsey, Leatherwood, Moody, Reedy, Rudder, Sexton J, Terry, Todd, Van Huss--17

Representatives present and not voting were: Byrd, Dunn, Gant, Lafferty, Ogles, Travis, Mr. Speaker Sexton--7

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 1796** and have this statement entered in the Journal: Rep. Sherrell.

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REGULAR CALENDAR FROM JUNE 15, 2020, CONTINUED

House Bill No. 2643 -- Law Enforcement - As introduced, includes in the requirement that a law enforcement officer have good moral character, that the officer must not be a member of a hate group or terrorist organization; states that membership in a hate group or terrorist organization is sufficient grounds for termination of a law enforcement officer for lack of good moral character. - Amends TCA Title 38. by *Towns, *Stewart, *Hardaway, *Lamar. (*SB2134 by *Gilmore)

Rep. Towns moved that House Bill No. 2643 be passed on third and final consideration.

Rep. Keisling moved adoption of State Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2643 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 38-8-106, is amended by deleting subdivision (8) and substituting instead the following:

(8) Have a good moral character as determined by a thorough investigation conducted by the employing agency. For purposes of this section, a person is not deemed to have good moral character if the person is a member of a hate group or terrorist organization, as determined by the employing agency. It is not the intent of this subdivision (8) to interfere with the exercise of rights protected by the constitution of the United States. As used in this subdivision (8), "hate group" means an organization whose primary purpose is to promote animosity, hostility, and malice against a person or persons, or against the property of a person or persons, because of race, religion, disability, ethnicity, or national origin; and

SECTION 2. Tennessee Code Annotated, Title 38, Chapter 8, Part 3, is amended by adding the following new section:

Membership in a hate group or terrorist organization, as determined by the employing agency, is sufficient grounds for termination of a law enforcement officer for lack of good moral character. It is not the intent of this section to interfere with the exercise of rights protected by the constitution of the United States. As used in this section, "hate group" means an organization whose primary purpose is to promote animosity, hostility, and malice against a person or persons, or against the property of a person or persons, because of race, religion, disability, ethnicity, or national origin.

SECTION 3. This act shall take effect October 1, 2020, the public welfare requiring it.

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On motion, State Committee Amendment No. 1 was adopted.

Rep. Hardaway moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Doggett moved that House Bill No. 2643 be re-referred to the Judiciary Committee.

Rep. Doggett withdrew the motion to re-refer House Bill No. 2643.

Rep. Towns requested that House Bill No. 2643 be moved to the heel of the Calendar, which motion prevailed.

***House Bill No. 2867** -- Motor Vehicles - As introduced, defines physician to mean a person licensed in this state and in good standing, for purposes of requiring an owner or lessee of a motor vehicle who is deaf or hard of hearing and who seeks to request a designation in the VTRS database by application coupled with a physician's statement. - Amends TCA Title 55, Chapter 21 and Title 55, Chapter 4. by *Ogles, *Jernigan, *Hurt, *Freeman, *Littleton. (SB2714 by *Hensley)

Rep. Hurt moved that House Bill No. 2867 be passed on third and final consideration.

Rep. Howell moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2867 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 21, is amended by adding the following as a new section:

(a) This section shall be known and may be cited as the "2020 Precious Cargo Act."

(b) The purpose of this section is to empower citizens to communicate specific needs to law enforcement and first responders.

(c) At the time of initial application for the registration of a motor vehicle under this part, or upon renewal, an owner or lessee of a motor vehicle who needs assistance with expressive language or communicating needs to a first responder, including a law enforcement officer, during a traffic stop or welfare check, may request that the department include a designation of such need for assistance in the Tennessee Vehicle Title and Registration System (VTRS) database. The registrant's request must be accompanied by a written statement from a licensed physician, psychiatrist, psychologist or senior psychological examiner, or neurologist, stating that an operator of the person's motor vehicle

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has an intellectual disability, a developmental disability, or a medical condition that may impede communications with, or impact the operator's encounter with, a first responder. Upon receipt of such a request accompanied by a written statement, the department shall cause the registrant's status to be entered into the VTRS database, and ensure such designation is associated with the applicant's motor vehicle and registration.

(d) Information submitted to the department under this section must be supplied to law enforcement to assist in identifying the operator of the vehicle as possibly needing such assistance. Information collected pursuant to this section must only be available to law enforcement for the purpose of ensuring safe and efficient interactions between law enforcement and persons who have such need for assistance, and must not be used for any other purpose.

(e) All law enforcement officers charged with the enforcement of this title and emergency call takers and public safety dispatchers, as described in § 7-86-205, shall receive instruction in the identification of such designation included in the VTRS database as provided for in this section.

(f) The commissioner is authorized to adopt policies and procedures as necessary to effectuate the purposes of this section.

(g) The commissioner of revenue is authorized to promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, necessary to carry out this section.

SECTION 2. This act shall take effect January 1, 2021, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Hurt moved that **House Bill No. 2867**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker
Sexton--94

A motion to reconsider was tabled.

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***House Bill No. 2126** -- Evidence - As introduced, requires a local law enforcement agency to submit a sexual assault evidence collection kit to the state crime lab or other similar qualified laboratory for testing within 45 days of a victim filing a police report, rather than within 60 days. - Amends TCA Title 38, Chapter 6 and Title 39, Chapter 13, Part 5. by *Ogles, *Freeman, *Coley. (SB2211 by *Johnson)

Rep. Ogles moved that House Bill No. 2126 be passed on third and final consideration.

Rep. Curcio moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2126 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-519(d), is amended by deleting the language "sixty (60) days" wherever it appears and substituting instead the language "thirty (30) days".

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Ogles moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2126 by deleting Section 2 and substituting instead the following:

SECTION 2. This act shall take effect at 12:01 a.m. on October 1, 2020, the public welfare requiring it.

On motion, House Amendment No. 2 was adopted.

Rep. Ogles moved that **House Bill No. 2126**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--92

A motion to reconsider was tabled.

***House Bill No. 2859** -- Consumer Protection - As introduced, increases from 10-point to 12-point the size of type required on the statements health clubs must provide regarding a buyer's right to cancel and the implications of paying an agreement in full. - Amends TCA Title 47, Chapter 18, Part 3. by *Vaughan. (SB2843 by *Niceley)

On motion, House Bill No. 2859 was made to conform with **Senate Bill No. 2843**; the Senate Bill was substituted for the House Bill.

Rep. Vaughan moved that Senate Bill No. 2843 be passed on third and final consideration.

Rep. Boyd moved that Consumer and Human Resources Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Vaughan moved that **Senate Bill No. 2843** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Griffey, Grills, Hakeem, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--92

A motion to reconsider was tabled.

***House Bill No. 2706** -- Real Property - As introduced, increases from 15 days to 15 business days, the time period in which a person must endeavor to serve notice of a claim against a contractor, subcontractor, supplier, or design professional related to an alleged construction defect following discovery of the alleged defect. - Amends TCA Title 28 and Title 66. by *Gant, *Todd. (SB2681 by *Rose, *Johnson)

On motion, House Bill No. 2706 was made to conform with **Senate Bill No. 2681**; the Senate Bill was substituted for the House Bill.

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Rep. Gant moved that Senate Bill No. 2681 be passed on third and final consideration.

Rep. T. Hill moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Gant moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Gant moved that **Senate Bill No. 2681** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

House Bill No. 2578 -- Public Records - As introduced, requires a state agency, institution, and political subdivision to post the electronic mail communications policy on the website of the agency, institution, and political subdivision. - Amends amend TCA Title 8, Chapter 4, Part 6 and Title 10, Chapter 7. by *Carter, *Sparks, *Lamberth, *Hardaway. (*SB2313 by *Gardenhire, *Gresham, *Pody)

On motion, House Bill No. 2578 was made to conform with **Senate Bill No. 2313**; the Senate Bill was substituted for the House Bill.

Rep. Carter moved that Senate Bill No. 2313 be passed on third and final consideration.

Rep. Keisling moved that State Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Clemmons moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2313 by inserting the following new section immediately preceding the last section and redesignating the last section accordingly:

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SECTION __. Tennessee Code Annotated, Section 10-7-504(a)(22), is amended by deleting subdivision (B) and substituting instead the following:

(B) All information and records received or generated by the comptroller of the treasury containing allegations of unlawful conduct or fraud, waste, or abuse; provided, however, that such information, including, without limitation, any reports, audits, or memoranda of unlawful conduct or fraud, waste, or abuse must be made available to a member of the general assembly upon written request;

Rep. Lamberth moved that House Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	73
Noes.....	21
Present and not voting.....	1

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Cochran, Coley, Crawford, Curcio, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--73

Representatives voting no were: Beck, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Love, Mitchell, Parkinson, Potts, Powell, Staples, Stewart, Thompson, Towns, Windle--21

Representatives present and not voting were: Daniel--1

Rep. Stewart moved that the House consider House Amendment No. 3 pursuant to **Rule No. 60 (B)**, which motion failed by the following vote:

Ayes	22
Noes.....	72

Representatives voting aye were: Beck, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Love, Miller, Mitchell, Parkinson, Potts, Powell, Shaw, Staples, Stewart, Thompson, Towns--22

Representatives voting no were: Baum, Boyd, Bricken, Byrd, Calfee, Carter, Casada, Cepicky, Cochran, Coley, Crawford, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--72

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Rep. Carter moved that **Senate Bill No. 2313** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--93

Representatives present and not voting were: Hakeem--1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "no" on **Senate Bill No. 2313** and have this statement entered in the Journal: Rep. Hakeem.

REGULAR CALENDAR FROM JUNE 15, 2020, CONTINUED

***House Bill No. 2768** -- Courts - As introduced, allows a court to temporarily hold court proceedings in a courthouse or other room located outside the county seat under specific circumstances. - Amends TCA Section 16-1-105. by *Carter, *Russell, *Calfee, *Daniel. (SB2741 by *Bell)

On motion, House Bill No. 2768 was made to conform with **Senate Bill No. 2741**; the Senate Bill was substituted for the House Bill.

Rep. Carter moved that Senate Bill No. 2741 be passed on third and final consideration.

Rep. Curcio moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2741 by deleting the language "; and" from § 16-1-105(a)(2)(A)(iii) in the amendatory language of Section 1 and substituting the language ";", by deleting the period at the end of the sentence in § 16-1-105(a)(2)(A)(iv) in the

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amendatory language of Section 1 and substituting the language "; and", and by adding the following language as a new subdivision (a)(2)(A)(v) in § 16-1-105 in the amendatory language of Section 1:

(v) All court sessions held in a courthouse or other room located outside the county seat are made available for viewing by the public over the internet by streaming video accessible to the public.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Carter moved that **Senate Bill No. 2741**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

***House Bill No. 2881** -- Teachers, Principals and School Personnel - As introduced, creates a new practitioner license for persons seeking to become licensed teachers; requires the department of education, when issuing an educator license to an out-of-state educator, to issue a license that is equivalent to the license the educator possessed prior to moving to this state; requires the state board of education to approve alternative teacher endorsement and licensure pathways. - Amends TCA Title 49. by *Weaver, *Dixie, *Parkinson, *Hodges, *White, *Byrd, *Terry, *Faison, *Sparks, *Daniel. (SB2717 by *Gresham, *Kelsey)

Rep. Weaver moved that House Bill No. 2881 be passed on third and final consideration.

Rep. White moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2881 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-5-108(c), is amended by adding the following language as a new subdivision:

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(7)

(A) When issuing a license to teach in the public schools to an individual who possesses an active teaching license in another state, the state board of education must issue a teaching license that is equivalent to the teaching license that the individual possesses in the other state, if that state has a reciprocal agreement with the state board of education pursuant to § 49-5-109.

(B) If an individual applies for a supervisor's or principal's license, and the individual possesses an active supervisor's or principal's license in another state that has entered into a reciprocal agreement with the state board pursuant to § 49-5-109, then the department of education must issue the individual a supervisor's or principal's license that is equivalent to the license that the individual possesses in the other state; provided, that the individual served as a supervisor or principal in the other state for no less than one (1) school year.

(C) When issuing a supervisor's, principal's, or public school teacher's license to an individual who is a military spouse and who possesses an active supervisor's, principal's, or public school teacher's license in another state, the department of education must issue a supervisor's, principal's, or public school teacher's license that is equivalent to the license that the individual possesses in the other state upon the department's receipt of documentation from the individual evidencing the individual's active military dependent status.

(D) The department of education shall submit a report on the relative effectiveness of supervisors, principals, and public school teachers who obtained a Tennessee educator license through an out-of-state pathway to the education committees of the senate and house of representatives by July 31, 2021, and by each July 31 thereafter. The annual report required under this subdivision (c)(7)(D) must be posted on the department's website.

SECTION 2. The state board of education may promulgate rules necessary to effectuate the purpose of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Weaver moved that **House Bill No. 2881**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96

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Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulseley, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

***House Bill No. 2625** -- Health, Dept. of - As introduced, requires the department to submit a report, by January 15, 2022, to the health committees of the general assembly regarding births involving neonatal abstinence syndrome and opioid use by women of childbearing age for the last two available fiscal years or calendar years. - Amends TCA Title 33; Title 36; Title 37; Title 39; Title 40; Title 53; Title 68 and Title 71. by *Littleton, *Moody. (SB2552 by *Jackson, *Briggs, *Crowe, *Massey, *Yager, *Yarbro)

On motion, House Bill No. 2625 was made to conform with **Senate Bill No. 2552**; the Senate Bill was substituted for the House Bill.

Rep. Littleton moved that Senate Bill No. 2552 be passed on third and final consideration.

Rep. Terry moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Littleton moved that **Senate Bill No. 2552** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulseley, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--94

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A motion to reconsider was tabled.

***House Bill No. 1991** -- Motor Vehicles - As introduced, authorizes businesses to provide for specially marked parking spaces for pregnant women and persons with infants. - Amends TCA Title 55. by *Hardaway, *Jernigan, *Whitson, *Ramsey, *Lamar, *Thompson. (SB2008 by *Bowling)

Rep. Hardaway requested that House Bill No. 1991 be moved to the heel of the Calendar, which motion prevailed.

***House Bill No. 2900** -- Expunction - As introduced, requires the court to notify a defendant at the time of sentencing if the conviction is for an expungeable offense and the time period after which a petition to expunge may be filed. - Amends TCA Title 40, Chapter 32; Title 40, Chapter 35, Part 3 and Chapter 244 of the Public Acts of 2019. by *Hardaway, *Clemmons, *Stewart. (SB2829 by *Robinson, *Kyle)

Rep. Hardaway moved that House Bill No. 2900 be passed on third and final consideration.

Rep. Curcio moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2900 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-302, is amended by deleting subsection (j) in its entirety.

SECTION 2. Tennessee Code Annotated, Title 40, Chapter 35, Part 3, is amended by adding the following as a new section:

A judge shall, at the time of sentencing, notify a person convicted of an offense that is eligible for expunction of:

(1) The person's eligibility to have all public records of the conviction destroyed in the manner set forth in § 40-32-101; and

(2) The time period after which the person can petition for expunction of the offense.

SECTION 3. This act shall take effect October 1, 2020, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

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Rep. Hardaway moved that **House Bill No. 2900** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--93

A motion to reconsider was tabled.

***House Bill No. 2904** -- Henderson County - Subject to local approval, increases from 5 percent to 9 percent the hotel occupancy tax; changes the designations of the tax proceeds. - Amends Chapter 98 of the Private Acts of 1983; as amended. by *Haston. (SB2913 by *Gresham)

Rep. Haston moved that **House Bill No. 2904** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 64
Noes..... 18
Present and not voting..... 5

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Calfee, Carr, Casada, Cepicky, Coley, Curcio, Daniel, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Hakeem, Halford, Haston, Hawk, Hazlewood, Helton, Hicks, Hodges, Holsclaw, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Love, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Rudder, Russell, Sherrell, Smith, Staples, Stewart, Thompson, Tillis, Todd, Travis, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--64

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Representatives voting no were: Chism, Clemmons, Cochran, Crawford, Dixie, Doggett, Grills, Hardaway, Hill M, Hill T, Holt, Lynn, Parkinson, Sexton J, Sparks, Towns, Van Huss, Windle--18

Representatives present and not voting were: Byrd, Lafferty, Leatherwood, Rudd, Terry--
5

A motion to reconsider was tabled.

***House Bill No. 2926** -- Madison County - Subject to local approval, authorizes the county commission to use funds allocated to the commission from the hotel occupancy tax to make economic development grants to governmental entities and public corporations to promote community economic development, tourism, and recreational activities. - Amends Chapter 324 of the Private Acts of 1980; as amended. by *Todd, *Shaw. (SB2926 by *Jackson)

Rep. Todd moved that House Bill No. 2926 be passed on third and final consideration.

Rep. Windle moved adoption of Naming, Designating, & Private Acts Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2926 by deleting SECTION 3 and substituting instead the following:

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Madison County and a two-thirds (2/3) vote of the legislative body of the City of Jackson. Its approval or nonapproval shall be proclaimed by the presiding officers of the legislative bodies and certified to the secretary of state.

On motion, Naming, Designating, & Private Acts Committee Amendment No. 1 was adopted.

Rep. Todd moved that **House Bill No. 2926**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	71
Noes.....	12
Present and not voting.....	6

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Cochran, Coley, Crawford, Curcio, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Hakeem, Halford, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Love, Lynn, Marsh, Miller, Moody, Moon, Ogles, Powell, Powers, Ragan, Ramsey, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Staples, Thompson, Tillis, Todd, Travis, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--71

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Representatives voting no were: Clemmons, Hodges, Holt, Jernigan, Johnson G, Mitchell, Parkinson, Potts, Stewart, Towns, Van Huss, Windle--12

Representatives present and not voting were: Beck, Grills, Lafferty, Rudd, Sparks, Terry--6

A motion to reconsider was tabled.

***House Bill No. 2303** -- Criminal Offenses - As introduced, punishes knowingly damaging fire equipment by means of fire or explosion as arson, a Class C felony; defines fire equipment as vehicles, tools, or devices used by a fire department to extinguish fires. - Amends TCA Title 39, Chapter 14, Part 3. by *Sherrell, *Griffey. (SB2884 by *Bailey, *Haile, *Powers, *Stevens)

On motion, House Bill No. 2303 was made to conform with **Senate Bill No. 2884**; the Senate Bill was substituted for the House Bill.

Rep. Sherrell moved that Senate Bill No. 2884 be passed on third and final consideration.

Rep. Curcio moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Curcio moved adoption of Judiciary Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2884 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-14-301(a), is amended by deleting the language "knowingly damages any structure by means of a fire or explosion" and substituting instead the following:

knowingly damages any structure or farm equipment by means of a fire or explosion

SECTION 2. Tennessee Code Annotated, Section 39-14-301, is amended by deleting subdivision (b)(2)(B); redesignating subdivision (b)(2)(A) as subdivision (b)(2); and adding the following as a new subsection (c):

(c) As used in this section:

(1) "Farm equipment" means any farm tractor as defined § 55-1-104(a), farm implement designed to be operated with a farm tractor, and motorized farm machinery used in the commercial production of farm products or nursery stock; and

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(2) "Place of worship" means any structure that is:

(A) Approved, or qualified to be approved, by the state board of equalization for property tax exemption pursuant to § 67-5-212, based on ownership and use of the structure by a religious institution; and

(B) Utilized on a regular basis by such religious institution as the site of congregational services, rites, or activities communally undertaken for the purpose of worship.

SECTION 3. This act shall take effect October 1, 2020, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 2 was adopted.

Rep. Sherrell moved that **Senate Bill No. 2884**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--95

A motion to reconsider was tabled.

***House Bill No. 2639** -- Agriculture, Dept. of - As introduced, establishes the Tennessee equine health advisory commission. - Amends TCA Title 4 and Title 43. by *Holt. (SB2874 by *Bailey)

On motion, House Bill No. 2639 was made to conform with **Senate Bill No. 2874**; the Senate Bill was substituted for the House Bill.

Rep. Holt moved that Senate Bill No. 2874 be passed on third and final consideration.

Rep. Daniel moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

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AMEND Senate Bill No. 2874 by deleting "July 1, 2020" in subsection (d) of § 43-13-103 and substituting instead "August 1, 2020".

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Daniel moved adoption of Government Operations Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2874 by deleting the language "appropriate, and make" in 43-13-106(b) of SECTION 3 and substituting instead the language "necessary, and make".

On motion, Government Operations Committee Amendment No. 2 was adopted.

Rep. Lamberth moved the previous question, which motion prevailed.

Rep. Holt moved that **Senate Bill No. 2874**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--93

Representatives voting no were: Parkinson--1

A motion to reconsider was tabled.

House Bill No. 2050 -- Therapists, Physical and Occupational - As introduced, makes various changes concerning the practice of physical therapy. - Amends TCA Title 63, Chapter 13. by *Williams, *Hill M, *Ramsey, *Terry. (*SB1960 by *Crowe, *Watson)

On motion, House Bill No. 2050 was made to conform with **Senate Bill No. 1960**; the Senate Bill was substituted for the House Bill.

Rep. Williams moved that Senate Bill No. 1960 be passed on third and final consideration.

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Rep. Terry moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1960 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 63-13-103(12), is amended by deleting the subdivision and substituting the following:

(12) "Physical therapist" or "physiotherapist" means a person who is licensed pursuant to this chapter to practice physical therapy;

SECTION 2. Tennessee Code Annotated, Section 63-13-103, is amended by adding the following as a new subdivision:

() "Competence" is the application of knowledge, skills, and behaviors required to function effectively, safely, ethically, and legally within the context of the patient's role and environment;

SECTION 3. Tennessee Code Annotated, Section 63-13-301, is amended by deleting subsection (a) and substituting the following:

(1) A physical therapist, or physiotherapist, licensed under this chapter is fully authorized to practice physical therapy.

(2) A physical therapist, or physiotherapist, is not licensed under this chapter unless the individual holds a degree from a professional physical therapy program accredited by a national accreditation agency recognized by the United States department of education and by the board of physical therapy.

SECTION 4. Tennessee Code Annotated, Section 63-13-303(a), is amended by deleting the subsection and substituting the following:

(a) The practice of physical therapy must be under the written or oral referral of a referring practitioner who is a licensed doctor of medicine, chiropractic, dentistry, podiatry, or osteopathy, except a licensed physical therapist may:

(1) Conduct an initial patient visit without referral;

(2) Provide physical assessments or instructions, including a recommendation of exercise to an asymptomatic person, without the referral of a referring practitioner;

(3)

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(A) In emergency circumstances, including minor emergencies, provide assistance to a person to the best of a physical therapist's ability without the referral of a referring practitioner. Except as provided in subdivision (a)(4), the physical therapist shall refer the person to the appropriate healthcare practitioner, as indicated, immediately after providing assistance;

(B) For the purposes of subdivision (a)(3)(A):

(i) "Emergency circumstances" means instances where emergency medical care is required; and

(ii) "Emergency medical care" means bona fide emergency services provided after the sudden onset of a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in:

(a) Placing the patient's health in serious jeopardy;

(b) Serious impairment to bodily functions;
or

(c) Serious dysfunction of any bodily organ or part; and

(4) Treat a patient without a referral when, within the scope of practice of physical therapy, the following are met:

(A) The patient's physician, as defined in § 63-6-204(f)(7) has been notified;

(B) If the physical therapist determines, based on clinical evidence, that no progress has been made with respect to that patient's condition within thirty (30) days, immediately following the date of the patient's initial visit with the physical therapist, then the physical therapist shall not provide any additional physical therapy services and shall refer the patient to a healthcare practitioner who qualifies as a referring practitioner;

(C) Physical therapy services must not continue beyond ninety (90) days without consulting with the patient's appropriate healthcare practitioner;

(D) If the patient was previously diagnosed by a licensed physician with chronic, neuromuscular, or developmental

conditions, and the evaluation, treatment, or services are being provided for problems or symptoms associated with one (1) or more of those previously diagnosed conditions, then subdivisions (a)(4)(B) and (a)(4)(C) do not apply; and

(E) A physical therapist shall refer patients under the physical therapist's care to appropriate healthcare practitioners, if, at any time, the physical therapist has reasonable cause to believe symptoms or conditions are present that require services beyond the scope of practice of a physical therapist, reasonable therapeutic progress is not being achieved for the patient, or physical therapy treatment is contraindicated.

SECTION 5. Tennessee Code Annotated, Section 63-13-303, is amended by adding the following as a new subsection:

(c) It is unprofessional conduct, for the purposes of § 63-13-312, for a physical therapist to knowingly initiate services to a patient in violation of subdivision (a)(4).

SECTION 6. Tennessee Code Annotated, Section 63-13-305, is amended by deleting subdivision (b)(3) and substituting the following:

(3) A physical therapist or physical therapist assistant licensed in another United States jurisdiction, or a foreign-educated or internationally trained physical therapist credentialed in another country, performing physical therapy as part of teaching or participating in an educational seminar of no more than sixty (60) days in a calendar year; and

SECTION 7. Tennessee Code Annotated, Section 63-13-306, is amended by deleting subsection (e) and substituting the following:

(e) Applicants who do not pass the examination after the first attempt may retake the examination one (1) additional time without reapplication for licensure up to a total of six (6) attempts. Applications remain active for twelve (12) months. After twelve (12) months, applicants must submit a new application with all applicable fees.

SECTION 8. Tennessee Code Annotated, Section 63-13-307(a)(4), is amended by deleting the subdivision and substituting the following:

(4) Be a graduate of a professional physical therapy program accredited by a national accreditation agency recognized by the United States department of education and by the board of physical therapy; and

SECTION 9. Tennessee Code Annotated, Section 63-13-307, is amended by deleting subdivisions (a)(1) and (b)(1).

SECTION 10. Tennessee Code Annotated, Section 63-13-307(d), is amended by deleting the following language:

An applicant for licensure as a physical therapist who has been educated outside the United States shall meet the following qualifications:

and substituting the following:

An applicant for licensure as a physical therapist who has been educated outside the United States, foreign-educated, or internationally trained shall meet the following qualifications:

SECTION 11. Tennessee Code Annotated, Section 63-13-307, is amended by deleting subdivision (d)(1).

SECTION 12. Tennessee Code Annotated, Section 63-13-308, is amended by deleting the section and substituting the following:

63-13-308. License renewal – Eligibility to apply for physical therapy licensure compact privileges – Changes in name or address – Retirement – Inactive Status – Exemption from continuing education requirements.

(a) A physical therapist or physical therapist assistant licensed under this part shall renew the person's license as specified in the rules. An individual who fails to renew the license by the date of expiration shall not practice physical therapy or function as a physical therapist assistant in this state.

(b) A physical therapist or physical therapist assistant licensed in a jurisdiction that is a member state of the Physical Therapy Licensure Compact is eligible to become a licensee for compact privileges in this state, subject to the requirements in § 63-13-402.

(c) Each licensee shall report to the division a name change and changes in business and home address within thirty (30) days of the change.

(d) A person licensed by the board to the practice of physical therapy in this state who has retired, or may retire, from the practice in this state is not required to register as required by this part if the person files with the board an affidavit on a form to be furnished by the board, which affidavit states the date on which the person retired from the practice and any other facts the board considers necessary that tend to verify the retirement. If the person thereafter reengages in the practice in this state, the person must apply for licensure with the board as provided by this part and meet the continuing education requirements that are established by the board, except for good and sufficient reasons as determined by the board.

(e) A person licensed by the board may place their license on inactive status by filing the proper forms with the board and by paying a biennial fee in

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accordance with rules. If the person thereafter reengages in active practice of physical therapy in this state, then the person must apply for relicensure with the board as provided by this part and meet the continuing education requirements as are established by the board, except for good and sufficient reasons as determined by the board.

SECTION 13. Tennessee Code Annotated, Section 63-13-310, is amended by deleting subsection (a) and substituting the following:

(a) A physical therapist shall use the letters "PT" or "DPT", as appropriate for the individual's education, in connection with their name or place of business to denote licensure under this part.

SECTION 14. Tennessee Code Annotated, Section 63-13-312(a), is amended by adding the following as new subdivisions:

() Acting in a manner inconsistent with generally accepted standards of physical therapy practice;

() Practicing physical therapy with a mental or physical condition that impairs the ability of the licensee to practice with skill and safety;

SECTION 15. Tennessee Code Annotated, Section 63-13-318, is amended by deleting subsection (k) and substituting the following:

(k) In making appointments to the board, the governor shall strive to ensure that at least one (1) member is fifty-five (55) years of age or older, that at least one (1) member is a racial minority, and that the gender balance of the board reflects the gender balance of the state's population.

SECTION 16. The heading to a section in this act is for reference purposes only and does not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the heading in any compilation or publication containing this act.

SECTION 17. This act shall take effect upon becoming a law, the public welfare requiring it, and applies to actions occurring on or after that date.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Williams moved that **Senate Bill No. 1960**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie,

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A motion to reconsider was tabled.

House Bill No. 2708 -- Employees, Employers - As introduced, enacts the "Tennessee Pregnant Workers Fairness Act." - Amends TCA Title 50. by *Hurt, *Coley, *Freeman, *Hazlewood, *Hill M, *Littleton, *Boyd, *Love, *Clemmons, *Holsclaw, *Towns, *Helton, *Sparks, *Camper, *Dunn, *Moon, *Jernigan, *Terry, *Williams, *Lamar, *Johnson G, *Dixie, *Powell, *Thompson, *Powers, *Stewart. (*SB2520 by *Massey, *Akbari, *Dickerson, *Gilmore, *Crowe, *Briggs, *Yarbro)

On motion, House Bill No. 2708 was made to conform with **Senate Bill No. 2520**; the Senate Bill was substituted for the House Bill.

Rep. Hurt moved that Senate Bill No. 2520 be passed on third and final consideration.

Rep. Boyd moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Daniel moved that Government Operations Committee Amendment No. 1, as House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Daniel moved that Government Operations Committee Amendment No. 2, as House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Lamberth moved that House Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Clemmons moved adoption of House Amendment No. 5 as follows:

Amendment No. 5

AMEND Senate Bill No. 2520 by adding the following as a new section immediately prior to the last section and redesignating the last section accordingly:

SECTION ___. Tennessee Code Annotated, Title 50, is amended by adding the following as a new chapter:

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50-11-101.

This chapter shall be known and may be cited as the "Tennessee Family Insurance Act."

50-11-102.

As used in this chapter:

(1) "Application year" means the twelve-month period beginning on the first day of the calendar week in which an individual files an application for family leave insurance benefits;

(2) "Average weekly wage" means the average wages over the course of the fifty-two (52) weeks prior to the start of the leave or, if the covered individual was not employed for the entire fifty-two (52) weeks, then taking the average wages from the weeks when the covered individual was employed;

(3) "Commissioner" means the commissioner of labor and workforce development or the commissioner's designee;

(4) "Covered individual" means any person who:

(A) Satisfies the wage requirements of § 50-7-301(b);

(B) Meets the administrative requirements outlined in this chapter and in other law and rules; and

(C) Submits an application;

(5) "Department" means the department of labor and workforce development;

(6) "Employee" means any individual employed by any employer within this state;

(7) "Employer" has the same meaning as defined in the federal Fair Labor Standards Act of 1938 (29 U.S.C. § 203(d));

(8) "Family and medical leave insurance benefits" means the benefits provided under this chapter;

(9) "Family member" means:

(A) A biological, adopted, or foster child; stepchild; or legal ward or child to whom the employee stands in loco parentis;

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(B) A biological, foster, stepparent, or adoptive parent or legal guardian of a covered individual; a covered individual's spouse or domestic partner; or a person who stood in loco parentis when the employee or the employee's spouse or domestic partner was a minor child;

(C) A person to whom the employee is legally married under the laws of any state;

(D) A grandparent or step-grandparent of the employee or the employee's spouse or domestic partner;

(E) A grandchild or step-grandchild of the employee or the employee's spouse or domestic partner;

(F) A biological, foster, or adopted sibling or the spouse or domestic partner of the sibling;

(G) A domestic partner registered as such under the laws of any state or political subdivision; or

(H) Any other individual related by blood or whose close association with the covered individual is the equivalent of a family relationship;

(10) "Qualifying exigency leave" means leave for the family member of a service member for a need arising out of a covered individual's family member's active duty service or notice of an impending call or order to active duty in the United States armed forces, including, but not limited to:

(A) Providing for the care or other needs of the service member's child or other family member;

(B) Making financial or legal arrangements for the service member;

(C) Attending counseling;

(D) Attending military events or ceremonies;

(E) Spending time with the service member during rest and recuperation leave;

(F) Spending time with the service member following a return from deployment; or

(G) Making arrangements following the death of the service member.

(11) "Serious health condition" has the same meaning as defined in the federal Family and Medical Leave Act of 1993 (29 U.S.C. 2611(11)); and

(12) "State average weekly wage" has the same meaning as the term "average weekly wages", as defined in § 50-6-102.

50-11-103.

(a) Notwithstanding § 4-21-408 to the contrary, family and medical leave insurance benefits are payable to a covered individual who meets one (1) of the following requirements:

(1) Because of birth, adoption, or placement through foster care, is caring for a new child during the first year after the birth, adoption, or placement;

(2) Is caring for a family member with a serious health condition;

(3) Has a serious health condition that makes the covered individual unable to perform the functions of the position of employee; or

(4) Has a qualifying exigency, which is a need arising out of the deployment of a family member of the covered individual.

(b) Benefits are payable to an individual who is not currently employed, but who is a covered individual meeting one (1) of the requirements listed in subdivisions (a)(1)-(4).

50-11-104.

The maximum number of weeks during which family and medical leave insurance benefits are payable in an application year is twelve (12) weeks.

50-11-105.

The amount of family and medical leave insurance benefits is determined as follows:

(1) The weekly benefit is two-thirds (2/3) of an employee's state average weekly wage up to a maximum benefit level of eight hundred fifty dollars (\$850). However, annually, not later than October 1 of each year thereafter, the department shall adjust the maximum weekly benefit amount to be ninety percent (90%) of the state average weekly wage and the adjusted maximum weekly benefit amount shall take effect on

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January 1 of the year following the adjustment. If an employee's state average weekly wage is less than thirty dollars (\$30.00), then the weekly benefit must be thirty dollars (\$30.00); and

(2) Family and medical leave insurance benefits are not payable for less than one (1) day or eight (8) consecutive hours of family and medical leave taken in one (1) work week.

50-11-106.

(a) There is created in the state treasury the family and medical leave insurance fund, referred to in this section as the "fund". Moneys in the fund may be used only to pay benefits under and to administer the family and medical leave insurance program pursuant to this chapter. Interest earned on the investment of moneys in the fund, and any moneys remaining in the fund at the end of a fiscal year, remain in the fund and do not revert to the general fund or any other fund. The fund itself will cover all costs to administer the program.

(b) The state treasurer is responsible for determining the amount of premiums necessary to finance the family and medical leave insurance program.

(c) An employee must pay premiums in an amount determined by the state treasurer.

(d) Each employer shall collect the premium amount from each employee and shall remit the premium amount to the state treasurer, who shall transfer the premiums to the state treasury for deposit in the fund.

50-11-107.

(a) Upon the expiration of family and medical leave, an employer shall restore any covered individual who exercises the individual's right to family and medical leave benefits to the position held by the covered individual when the leave commenced, or to a position with equivalent seniority, status, employment benefits, pay, and other terms and conditions of employment, including fringe benefits and service credits that the covered individual was entitled to at the commencement of leave.

(b) During any leave taken pursuant to § 50-11-103, the employer shall maintain any healthcare benefits the covered individual had prior to taking the leave for the duration of the leave as if the covered individual remained in employment continuously from the date the individual commenced the leave until the date the family and medical leave insurance benefits terminate. However, the covered individual shall continue to pay the covered individual's share of the cost of healthcare benefits as required prior to the commencement of the leave.

(c) The commissioner shall enforce this section in the manner provided in § 50-2-204.

50-11-108.

(a) It is unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this chapter.

(b) An employer, temporary help company, employment agency, employee organization, or other person shall not discharge, expel, demote, or otherwise discriminate or take adverse employment action against a person because the person:

(1) Files, applies for, or uses benefits provided for under this chapter;

(2) Takes leave from work under this chapter;

(3) Communicates to the employer an intent to file a claim, a complaint, or an appeal;

(4) Testifies, is about to testify, or assists in any proceeding under this chapter at any time, including the period in which the person receives family and medical leave insurance benefits under this chapter; or

(5) Exercises any other right under this chapter.

(c) It is unlawful for an employer's absence control policy to count paid family and medical leave taken under this chapter as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.

(d) The protections provided pursuant to this section apply to any person who mistakenly but in good faith alleges a violation of this chapter.

(e) The commissioner shall enforce this section in the manner provided in § 50-2-204.

50-11-109.

(a)

(1) If time taken with wage replacement under this chapter also qualifies as a reason for leave under the federal Family and Medical Leave Act of 1993 (FMLA) (29 U.S.C. § 2601 et seq.), then time paid for pursuant to this chapter must run concurrently with leave taken under the FMLA.

(2) An employer may require that payment made pursuant to this chapter be made concurrently or otherwise coordinated with payment

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made or leave allowed under the terms of disability or family care leave under a collective bargaining agreement or employer policy. The employer shall give individuals in its employ written notice of this requirement when the employee requests leave under this chapter, or when the employer acquires knowledge that an employee's leave may be for a qualifying reason under § 50-11-103(a).

(b)

(1) This chapter does not diminish an employer's obligation to comply with a collective bargaining agreement or employer policy, as applicable, that provides greater leave for any of the purposes in § 50-11-103(a).

(2) A collective bargaining agreement entered into, amended, or renewed or an employer policy adopted or retained, on or after January 20, 2021, does not diminish an individual's right to leave under this chapter. Any agreement by an individual to waive the individual's rights under this chapter is void as against public policy.

50-11-110.

(a) Claims for benefits must be made in accordance with regulations the commissioner prescribes.

(b) A claimant dissatisfied with a determination with respect to eligibility under this chapter or the amount of benefits determined payable under this chapter may appeal in the manner provided in § 50-7-304(c).

(c) The claimant has ninety (90) days from the date of notification of the determination of eligibility and amount of benefits to appeal the determination in the manner provided in subsection (b).

50-11-111.

(a) A covered individual is disqualified from family and medical leave insurance benefits for one (1) year if the individual knowingly makes a false statement or misrepresentation regarding a material fact, or knowingly failed to report a material fact, to obtain benefits under this chapter.

(b) If family and medical leave insurance benefits are paid erroneously or as a result of knowing misrepresentation, or if a claim for family and medical leave benefits is rejected after benefits are paid, then the department may seek repayment of benefits from the recipient. The commissioner shall exercise discretion to waive, in whole or in part, the amount of any such payments where the recovery would be against equity and good conscience.

50-11-112.

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(a) A self-employed person, including a sole proprietor, partner, or joint venturer, may elect coverage under this chapter for an initial period of not less than three (3) years or a subsequent period of not less than one (1) year immediately following another period of coverage. The self-employed person must file a notice of election in writing with the commissioner, as required by the department. The election becomes effective on the date of filing the notice.

(b) A self-employed person who has elected coverage may withdraw from coverage within thirty (30) days after the end of the three-year period of coverage, or at other times as the commissioner may prescribe by rule, by filing written notice with the commissioner, the withdrawal to take effect not sooner than thirty (30) days after filing the notice.

50-11-113.

(a) The department shall establish and administer a family and medical leave insurance program and pay family and medical leave insurance benefits as specified in this chapter.

(b) The department shall establish procedures and forms for filing claims for benefits under this chapter. The department shall notify the employer within five (5) business days of the department's receipt of a claim being filed pursuant to this chapter.

(c) The department shall use information sharing and integration technology to facilitate the disclosure of relevant information or records so long as an individual consents to the disclosure in the manner provided by applicable law.

(d) Information contained in the files and records pertaining to an individual under this chapter are confidential and not open to public inspection under title 10, chapter 7, part 5, other than to public employees in the performance of their official duties. However, an individual, or an authorized representative of an individual, may review the records or receive specific information from the records on the presentation of the signed authorization of the individual.

(e) The commissioner may promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, as necessary to implement this chapter. In promulgating rules, the commissioner shall maintain, to the extent possible, consistency with the rules promulgated to implement the federal Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.).

50-11-114.

If the internal revenue service determines that family and medical leave insurance benefits under this chapter are subject to federal income tax, then the

department must advise an individual filing a new claim for family and medical leave insurance benefits, at the time the individual files the claim, that:

(1) The internal revenue service has determined that benefits are subject to federal income tax; and

(2) Requirements exist pertaining to estimated tax payments.

50-11-115.

(a) The family and medical leave insurance account is created in the custody of the state treasurer. Expenditures from the account may be used only for the purposes of the family and medical leave insurance program. Only the commissioner may authorize expenditures from the account.

(b) Whenever, in the judgment of the state treasurer, there are in the family and medical leave insurance account funds in excess of that amount deemed by the state treasurer to be sufficient to meet the current expenditures properly payable therefrom, the state treasurer has full power to invest, reinvest, manage, contract, sell, or exchange investments acquired with such excess funds in the manner prescribed by title 9, chapter 4, parts 1-4 and 6-7.

50-11-116.

(a) An employee may take, at the option of the employee, family and medical leave on an intermittent leave schedule.

(b) The employee must make a reasonable effort to schedule intermittent leave so as not to disrupt unduly the operations of the employer. The employee shall provide the employer with prior notice of the care, medical treatment, or continuing supervision by a healthcare provider necessary due to a serious health condition of a family member, in a manner which is reasonable and practicable. Leave taken on an intermittent leave schedule must not result in a reduction of the total amount of leave to which an employee is entitled beyond the amount of leave actually taken.

50-11-117.

No later than September 1, 2021, and by September 1 of each subsequent year, the department shall report to the general assembly on projected and actual program participation, premium rates, fund balances, and outreach efforts.

50-11-118.

The department shall conduct a public education campaign to inform workers and employers regarding the availability of paid family leave and medical leave. The department may use a portion of the funds collected for the paid

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family and medical leave insurance program in a given year to pay for the public education campaign. Outreach information must be available in English and other languages spoken by more than ten percent (10%) of the state's population as that group's primary language.

50-11-119.

The department is encouraged to use state data collection and technology to the extent possible in order to keep the cost of the family and medical leave insurance program down and to integrate the program with existing state policies.

50-11-120.

(a) Each employer shall provide written notice to each employee upon hiring and each calendar year thereafter. An employer shall also provide written notice to an employee when the employee requests leave under this chapter, or when the employer acquires knowledge that an employee's leave may be for a qualifying reason under § 50-11-103(a). The notice must include:

(1) The employee's right to family and medical leave insurance benefits under this chapter and the terms under which it may be used;

(2) The amount of family and medical leave insurance benefits;

(3) The procedure for filing a claim for benefits;

(4) The right to job protection and benefits continuation under § 50-11-107;

(5) A statement that discrimination and retaliatory personnel actions against a person for requesting, applying for, or using family and medical leave insurance benefits is prohibited under § 50-11-108;

(6) A statement informing the employee whether the employer requires payment pursuant to this chapter be made concurrently or otherwise coordinated with payment made or leave allowed under the terms of disability or family care leave under a collective bargaining agreement or employer policy under § 50-11-109; and

(7) That the employee has a right to file a complaint for a violation of this chapter.

(b) An employer shall also display and maintain a poster in a conspicuous place accessible to employees at the employer's place of business that contains the information required by subsection (a) in English, Spanish, and any language that is the first language spoken by at least ten percent (10%) of the employer's workforce, as long as the notice has been made publicly available

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by the department. The commissioner may adopt regulations to establish additional requirements concerning the means by which employers provide the notice.

50-11-121.

If any provision of this chapter or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the chapter that can be given effect without the invalid provision or application, and to that end the provisions of this chapter are severable.

Rep. Garrett moved that House Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes	72
Noes.....	23

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Cochran, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--72

Representatives voting no were: Beck, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Love, Miller, Mitchell, Parkinson, Potts, Powell, Shaw, Staples, Stewart, Thompson, Towns, Windle--23

Rep. Clemmons moved that House Amendment No. 6 be withdrawn, which motion prevailed.

Rep. Hurt moved that **Senate Bill No. 2520** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--92

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Representatives present and not voting were: Hulsey--1

A motion to reconsider was tabled.

House Bill No. 2714 -- Dentists and Dentistry - As introduced, deletes prohibition on the appointment of persons to the board of dentistry who are employed by or are a member of the governing body of a dental school or related educational institution, or any dental supply business or laboratory. - Amends TCA Title 63, Chapter 5. by *Cooper, *Hardaway, *Potts, *Dixie, *Shaw, *Thompson, *Stewart, *Camper, *Ramsey. (*SB1833 by *Akbari)

Rep. Dixie moved that House Bill No. 2714 be passed on third and final consideration.

Rep. Terry moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2714 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-5-103(d)(1), is amended by deleting the subdivision and substituting instead the following:

The governor shall make appointments to the board not later than one (1) month after the expiration of the term of office of any member, and such or further delay in the appointment must be deducted from the term of the appointment. All vacancies occurring on the board by death or resignation must be filled by the governor for the unexpired term from lists submitted to the governor as provided in this section. If the vacancy is not filled within thirty (30) days by the governor, the board shall fill the vacancy for the unexpired term. A person is not eligible for appointment to the board if the person is employed by or with a dental supply business or dental laboratory.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Dixie moved that **House Bill No. 2714**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Byrd, Calfee, Carr, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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A motion to reconsider was tabled.

***House Bill No. 2278** -- Motor Vehicles - As introduced, authorizes all-terrain vehicles and Class I and Class II off-highway vehicles that are registered, insured, and equipped with safety equipment, to be operated on state routes in Hickman County. - Amends TCA Section 55-8-185. by *Curcio. (SB2454 by *Roberts)

Rep. Curcio moved that House Bill No. 2278 be passed on third and final consideration.

Rep. Howell moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2278 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-185(c), is amended by adding the following as a new subdivision:

(5) Notwithstanding any law to the contrary, any Class I or Class II off-highway vehicle as defined in § 55-8-101 that is registered pursuant to chapter 4, part 7 of this title, may be operated on the following state routes that are within the jurisdiction of Hickman County, if the requirements in § 55-8-203(c) and (d) are satisfied:

(A) State Route 48 North from its intersection with State Route 100 to its intersection with Piney River Road, which is approximately eight and seven-tenths miles (8.7 miles), within the jurisdiction of Hickman County;

(B) State Route 100 from its intersection with North Tidwell Road to its intersection with Wrigley Road, which is approximately four and one-tenth miles (4.1 miles), within the jurisdiction of Hickman County; and

(C) State Route 230 West from its intersection with Dodd Hollow Road to its intersection with East Sugar Creek Road, which is approximately one and nine-tenths (1.9 miles), within the jurisdiction of Hickman County.

SECTION 2. Tennessee Code Annotated, Section 55-8-185(c)(2), is amended by deleting the language "subdivisions (c)(1), (3), and (4)" wherever it appears and substituting instead the language "subdivisions (c)(1), (3)-(5)".

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SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Curcio moved that **House Bill No. 2278**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Carr, Carter, Casada, Cepicky, Clemmons, Cochran, Crawford, Curcio, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

A motion to reconsider was tabled.

***House Bill No. 2914** -- Dickson County - Subject to local approval, specifies that the General Sessions Court Clerk must serve as the Clerk of the Juvenile Court of Dickson County rather than the County Clerk. - Amends Chapter 267 of the Private Acts of 1982; as amended. by *Curcio, *Littleton. (SB2921 by *Roberts)

Rep. Curcio moved that House Bill No. 2914 be passed on third and final consideration.

Rep. Windle moved adoption of Naming, Designating, & Private Acts Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2914 by deleting "July 1, 2020" in Section 3 and substituting instead "September 1, 2020".

On motion, Naming, Designating, & Private Acts Committee Amendment No. 1 was adopted.

Rep. Curcio moved that **House Bill No. 2914**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

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Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--94

A motion to reconsider was tabled.

***House Bill No. 2395** -- Children - As introduced, changes, from March 1 to February 1, the date by which the department of children's services must appear before the judiciary committees of the senate and the house of representatives for a review of the department's policies affecting children served by the department. - Amends TCA Title 37; Title 39 and Title 40. by *Curcio. (SB2362 by *Haile)

Rep. Curcio moved that House Bill No. 2395 be passed on third and final consideration.

Rep. Garrett moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2395 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-131, is amended by deleting subdivision (a)(2)(A)(ii) and substituting instead the following:

(ii) Probation may continue only so long as it is in the best interest of the child that the condition or conditions of probation remain in effect;

SECTION 2. Tennessee Code Annotated, Section 37-1-131, is amended by deleting subdivision (a)(2)(A)(v)(c)(2) and substituting instead the following:

(2) A child placed in the custody of the department under this subdivision (a)(2)(A)(v)(c) shall remain in custody so long as necessary to complete the treatment or services, which shall be evidence-based and provided by a qualified provider;

SECTION 3. Tennessee Code Annotated, Section 37-1-131(a)(3), is amended by deleting the subdivision and substituting instead the following:

(A) Placing the child in an institution, camp, or other facility for delinquent children operated under the direction of the court or other local public authority.

The court may order the delinquent child to participate in programming at a
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nonresidential facility for delinquent children operated under the direction of the court or other local public authority after the period of detention. The court shall report each disposition of detention to the administrative office of the courts;

(B) Pursuant to this subdivision (a)(3), the court may order detention for a maximum of forty-eight (48) hours for the delinquent child to be served only on days the school in which the child is enrolled is not in session; provided, that if the court finds and issues a written order that it is in the best interest of the child, the court may order:

(i) Multiple periods of detention to be served only on days the school in which the child is enrolled is not in session; and

(ii) A longer period of detention to be served only on days the school in which the child is enrolled is not in session;

SECTION 4. Tennessee Code Annotated, Section 37-1-131, is amended by deleting subdivision (a)(4)(B)(iii)(b) and substituting instead the following:

(b) A child placed in the custody of the department under this subdivision (a)(4)(B)(iii) shall remain in custody so long as necessary to complete the treatment or services, which must be evidence-based and provided by a qualified provider;

SECTION 5. Tennessee Code Annotated, Section 37-1-131(b)(1), is amended by deleting the last sentence.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Curcio moved that **House Bill No. 2395**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker
Sexton--93

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A motion to reconsider was tabled.

House Bill No. 1131 -- Bail, Bail Bonds - As introduced, creates a rebuttable presumption that a person charged with a bailable offense will not violate the conditions of their release if the offense is expungeable and the person has not been previously convicted of an offense that is ineligible for expunction. - Amends TCA Title 40, Chapter 11 and Title 40, Chapter 7. by *Curcio, *Hardaway, *Hodges. (*SB409 by *Stevens)

Rep. Curcio moved that House Bill No. 1131 be passed on third and final consideration.

Rep. Garrett moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1131 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-318, is amended by deleting subsection (a) and substituting instead the following:

(a) "Bounty hunting" means a person who acts as an agent of a professional bondsman who attempts to or takes into custody a person who has failed to appear in court and whose bond has been forfeited, for a fee, the payment of which is contingent upon the taking of a person into custody and returning the person to the custody of the professional bondsman for whom the bounty hunter works. "Bounty hunting" does not include the taking into custody of a person by a professional bondsman; provided, that the professional bondsman is arresting a person with whom the professional bondsman, or the company or surety for whom the professional bondsman acts as an approved agent, has privity of contract.

SECTION 2. Tennessee Code Annotated, Section 40-11-318, is amended by deleting subsection (b) and substituting instead:

(b)

(1) The following individuals shall not serve as a bounty hunter in this state:

(A) An individual who has been convicted of a felony in any state; or

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(B) An individual who has been convicted of two (2) or more Class A or Class B misdemeanors in this state, or equivalent offenses in any other state, within the past five (5) years.

(2) A violation of subdivision (b)(1) is a Class A misdemeanor.

SECTION 3. Tennessee Code Annotated, Section 40-11-401, is amended by designating the existing language as subsection (a) and adding the following language as a new subsection:

(b) Each person acting as a bounty hunter pursuant to § 40-11-318, including a professional bondsman acting as a bounty hunter, must obtain eight (8) hours of continuing education credits, with at least five (5) of those hours having a specific focus on bounty hunting, during each twelve-month period, beginning on January 1, 2021.

SECTION 4. Tennessee Code Annotated, Section 40-11-133, is amended by adding the following language as a new subsection:

(e) A professional bondsman or the agent of a professional bondsman who is arresting a defendant pursuant to this section shall not:

(1) Make a representation that the professional bondsman or the agent of the professional bondsman is a member of a law enforcement organization;

(2) Wear clothing or a uniform intended to give the impression that the professional bondsman or the professional bondsman's agent is employed by, affiliated with, or acting in the capacity of a law enforcement organization; or

(3) Wear clothing bearing an identifying title other than "Bail Bondsman".

SECTION 5. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Curcio moved that **House Bill No. 1131**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem,

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A motion to reconsider was tabled.

REGULAR CALENDAR

SPECIAL ORDER

Without objection, Rep. Reedy moved to take up Senate Joint Resolution No. 178 for its second Constitutional reading, out of order at this time as follows:

***Senate Joint Resolution No. 178** -- Constitutional Amendments - Proposes amendment to remove Article IX, Section 1 of the Constitution of Tennessee, which provides that no minister of the gospel, or priest of any denomination whatever, shall be eligible to a seat in either house of the legislature. by *Pody, *Kelsey, *White, *Rose. (*SJR178 by (*Reedy, *Hardaway))

Senate Joint Resolution No. 178 was previously considered on June 15, 2020, for the first Constitutional reading.

Rep. Reedy requested that the Clerk read Senate Joint Resolution No. 178 for the second Constitutional reading, as prescribed by the Constitution of the State of Tennessee.

The Clerk read Senate Joint Resolution No. 178.

Rep. Reedy moved that **Senate Joint Resolution No. 178** be reset for the Regular Calendar on June 17, 2020, for its third and final reading, which motion prevailed.

SPECIAL ORDER

Without objection, Rep. Smith moved to take up Senate Joint Resolution No. 648 for its second Constitutional reading, out of order at this time as follows:

***Senate Joint Resolution No. 648** -- Constitutional Amendments - Proposes adding a provision establishing right to work regardless of status of affiliation with any labor union or employee organization. by *Kelsey, *McNally, *Johnson, *Yager, *Bailey, *Watson, *Bell, *White, *Powers, *Rose, *Roberts, *Jackson, *Stevens, *Swann, *Crowe, *Haile, *Bowling, *Reeves, *Gresham, *Hensley, *Briggs, *Lundberg, *Massey, *Southerland. (*SJR648 by (*Smith, *Todd, *Curcio, *Daniel, *Hazlewood, *Lamberth, *Lynn, *Hill T, *Sexton C, *Terry, *Russell, *Williams, *Faison, *Zachary, *Reedy, *Holt, *Littleton, *Moody, *Weaver, *Moon,

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*Halford, *Garrett, *Howell, *Hawk, *Helton, *Marsh, *Carter, *Griffey, *Rudder, *Eldridge, *Byrd, *Sherrell, *Tillis, *Powers, *Crawford, *Coley, *Van Huss, *Haston, *Hulsey, *Holsclaw, *Rudd, *Ragan, *Doggett, *Baum, *Calfee, *Travis, *Boyd, *Cochran, *Leatherwood, *Farmer, *Carr, *Vaughan, *Cepicky, *Gant))

Senate Joint Resolution No. 648 was previously considered on June 15, 2020, for the first Constitutional reading.

Rep. Smith requested that the Clerk read Senate Joint Resolution No. 648 for the second Constitutional reading, as prescribed by the Constitution of the State of Tennessee.

The Clerk read Senate Joint Resolution No. 648.

Rep. Smith moved that **Senate Joint Resolution No. 648** be reset for the Regular Calendar on June 17, 2020, for its third and final reading, which motion prevailed.

RECESS MOTION

Rep. Lamberth moved that the House stand in recess until 4:00 p.m. today, which motion prevailed.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Sexton.

ROLL CALL DISPENSED

On motion of Rep. Lamberth the roll call was dispensed with.

REGULAR CALENDAR FROM JUNE 15, 2020, CONTINUED

House Bill No. 2623 -- Civil Procedure - As introduced, changes, from not less than five days to not less than seven days before a hearing, the time the opposing party has to file a response to a petition under the Tennessee Public Participation Act. - Amends TCA Title 1; Title 5; Title 6; Title 7; Title 8; Title 9; Title 20; Title 27; Title 28; Title 29; Title 47 and Title 49. by *Curcio, *Casada, *Weaver, *Griffey, *Littleton, *Zachary, *Terry, *Gant, *Freeman, *Todd, *Shaw, *Rudd, *Garrett, *Bricken, *Boyd, *Sherrell, *Byrd, *Smith, *Marsh, *Daniel, *Calfee, *Moon, *Powers, *Helton, *White. (*SB2381 by *Bell, *Kelsey, *Reeves, *Yager, *Bailey, *Crowe, *Gardenhire, *Gresham, *Johnson, *Lundberg, *Pody, *Rose, *Stevens)

On motion, House Bill No. 2623 was made to conform with **Senate Bill No. 2381**; the Senate Bill was substituted for the House Bill.

Rep. Curcio moved that Senate Bill No. 2381 be passed on third and final consideration.

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Rep. Garrett requested that Judiciary Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Curcio moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2381 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding Sections 2 through 8 as a new part.

SECTION 2. This part shall be known and may be cited as the "Tennessee Recovery and Safe Harbor Act."

SECTION 3. As used in this part:

(1) "Coronavirus" means both the novel coronavirus, SARS-CoV-2, and coronavirus disease 2019, commonly referred to as COVID-19, for which the governor issued Executive Order Number 14 declaring a state of emergency, including any mutation of SARS-CoV-2 or COVID-19 that is the subject of a declared public health emergency pursuant to § 58-2-107;

(2) "Covered entity" means the following entities, organizations, and any employee, volunteer, independent contractor, and subcontractor of the entity:

(A) A person, including an individual, sole proprietorship, corporation, limited liability company, partnership, trust, religious organization, association, nonprofit organization described in § 501(c) of the Internal Revenue Code that is exempt from federal income taxation under § 501(a) of the Internal Revenue Code, 26 U.S.C. § 501(a), or any other legal entity whether formed as a for-profit or not-for-profit entity pursuant to title 48;

(B) A healthcare provider; and

(C) A school, other than a public school as defined by § 49-6-3001(c)(3) or public institution of higher education, including a child care agency, as defined in § 71-3-501, preschool, nursery school, kindergarten, elementary school, secondary school, or postsecondary institution authorized or exempt under title 49, chapter 7;

(3) "Health emergency claim" means any claim that proximately arises from:

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(A) The actual, alleged, or possible exposure to or contraction of coronavirus from a covered entity or from a covered entity's operations, products, or services, whether provided on or off the premises of the covered entity; or

(B) The covered entity's efforts to prevent or minimize the spread of coronavirus, including, but not limited to, the following:

(i) Implementing policies and procedures to prevent or minimize the spread of coronavirus;

(ii) Testing;

(iii) Monitoring, collecting, reporting, tracking, tracing, disclosing, or investigating coronavirus exposure or other coronavirus-related information;

(iv) Using, designing, manufacturing, providing, donating, or servicing precautionary, diagnostic, collection, or other health equipment or supplies, such as personal protective equipment;

(v) Closing, partially closing, or modifying a covered entity pursuant to any public health guidance or to prevent or minimize the spread of coronavirus;

(vi) Delaying or modifying the schedule or performance of any medical procedure in response to public health guidance; or

(v) Altering or discontinuing activities or services;

(4) "Healthcare provider" means:

(A) A healthcare provider that is licensed, certified, or authorized under title 33, 63, or 68 to provide healthcare or support services, or that is licensed to provide healthcare services under federal law, and any support personnel employed by such provider;

(B) A student, intern, or resident acting under the supervision of a licensed healthcare provider for the discipline in which the student, intern, or resident is engaged; and

(C) Any medical or healthcare professional, individual, support personnel, or entity holding a license, registration, permit, certification, or approval pursuant to an executive order, including a temporary emergency license, registration, permit, certification, or approval, to practice a healthcare profession or occupation in this state, including under the Public Readiness and Emergency Preparedness Act and the final version of the U.S. Department of Homeland Security Cybersecurity

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and Infrastructure Security Agency Guidance on Essential Critical Infrastructure Workers, and any declaration of the federal department of health and human services in accordance with such act, under any emergency proclamation, order, or rule, adopted by a licensing board or agency pursuant to an authorizing emergency proclamation or executive order, or otherwise in response to the coronavirus; and

(5) "Public health guidance" means guidance or direction provided in any plan, order, rule, or guidelines issued by the following, that is related to coronavirus and applicable to the covered entity:

(A) The president of the United States;

(B) The federal or state government;

(C) A local government, as authorized by the state government;

(D) The federal centers for disease control and prevention;

(E) The department of homeland security;

(F) An applicable federal or state occupational safety and health administration;

(G) The governor;

(H) The department of health;

(I) A public health department, as authorized by state government;

(J) A government agency or appointed taskforce or workgroup; or

(K) A medical specialty society accredited by the American Board of Medical Societies that is applicable to a covered entity and healthcare provider or to the health emergency claim at issue.

SECTION 4.

(a)

(1) Notwithstanding any law to the contrary, a covered entity is not liable for damages, injury, or death that results from, or in connection with, a health emergency claim unless the claimant proves by clear and convincing evidence that the covered entity caused the damages, injury, or death by acting with gross negligence or willful misconduct.

(2) In addition to the limitation of liability provided under subdivision (a)(1), and notwithstanding any law to the contrary, a healthcare provider who provides healthcare services or treatment to a patient who has or is suspected of having coronavirus is not liable for any injury or death alleged to have been caused by an act or omission of the healthcare provider during the provision of healthcare services or treatment if the act or omission resulted from or was negatively affected by a lack of resources caused by the coronavirus unless the lack of resources resulted from the healthcare provider's gross negligence or willful misconduct.

(3) If a covered entity acted in substantial compliance with any public health guidance applicable to the covered entity, there is a rebuttable presumption that the covered entity did not act in a manner that constitutes gross negligence or willful misconduct.

(b)

(1) In a health emergency claim, the claimant must file a verified complaint pleading specific facts with particularity from which a finder of fact could reasonably conclude that the harm alleged was caused by gross negligence or willful misconduct.

(2) In a health emergency claim as defined in Section 3(3)(A), the claimant or claimant's counsel must file a certificate of good faith with the complaint stating that the claimant or claimant's counsel has consulted with one (1) or more experts, who practice in the community in which the defendant is located, or in a similar community at the time of the alleged gross negligence or willful misconduct, and the expert has provided a signed written statement confirming that upon information and belief, the expert believes there is a good faith basis for maintaining a health emergency claim as defined in Section 3(3)(A). The failure of a claimant to file a certificate of good faith in compliance with this subdivision (b)(2) makes, upon motion, the action subject to dismissal with prejudice.

(c) In any action brought under this section, the plaintiff bears the burden of proof to demonstrate the specific act or omission by the covered entity that constitutes gross negligence or willful misconduct.

SECTION 5. This part does not amend, repeal, or limit any immunity, defense, or right that exists under current law or any contract that applies to a covered entity in a cause of action. The limitation of liability provided by this part is intended to be in addition to any other immunity, defense, and right that exist under current law or contract.

SECTION 6. This part must be construed in conjunction with the Facilitating Business Rapid Response to State Declared Disaster Act, compiled in title 58, chapter 2,

and any emergency order or proclamation issued by the governor relating to the coronavirus and civil liability.

SECTION 7. This part does not:

- (1) Create a cause of action;
- (2) Eliminate a required element of any existing cause of action;
- (3) Affect workers' compensation claims, under the Workers' Compensation Law, compiled in title 50, chapter 6, including the exclusive application of such law; or
- (4) Amend, repeal, alter, or affect any immunity or limitation of liability available under current law.

SECTION 8.

(a) This part applies to causes of action accruing on or after the effective date of this act.

(b) This part remains in effect until July 1, 2022. Any health emergency claim in which the act or omission occurred while this part is in effect is subject to this part in perpetuity.

SECTION 9. Tennessee Code Annotated, Section 29-20-205, is amended by adding the following as a new subdivision:

(10) Or in connection with any loss, illness, or injury occurring before July 1, 2022, caused directly or indirectly by the coronavirus, as defined in Section 3, or as a result of action or inaction by any governmental entity or any of the entity's employees in response to or related to the coronavirus, unless the loss, illness, or injury was caused by gross negligence or willful misconduct of the governmental entity or the entity's employees. If a governmental entity's operations were conducted in substantial compliance with public health guidance applicable to the governmental entity, the entity and the entity's employees are presumed to have been acting in a manner that was not gross negligence or willful misconduct.

SECTION 10. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

A public institution of higher education is not liable for any act or omission by the institution or the institution's employees or agents that results in alleged, actual, or possible exposure to, contraction of, or illness or death arising from coronavirus, as defined in Section 3.

SECTION 11. Tennessee Code Annotated, Section 9-8-307, is amended by adding the following as a new subsection:

Notwithstanding any provision of this chapter to the contrary, the state does not waive sovereign immunity for civil liability for any act or omission by the state or any employee or agent of the state that results in alleged, actual, or possible exposure to, contraction of, or illness or death arising from coronavirus, as defined in Section 3.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it, and applies to causes of action accruing on or after that date. This act shall cease to be effective July 1, 2022.

On motion, House Amendment No. 2 was adopted.

Rep. Clemmons moved that House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Clemmons requested that House Amendment No. 4 be rolled one place.

Rep. Clemmons moved adoption of House Amendment No. 5 as follows:

Amendment No. 5

AMEND Senate Bill No. 2381 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding Sections 2 through 8 as a new part.

SECTION 2. This part shall be known and may be cited as the "Tennessee Recovery and Safe Harbor Act."

SECTION 3. As used in this part:

(1) "Coronavirus" means both the novel coronavirus, SARS-CoV-2, and coronavirus disease 2019, commonly referred to as COVID-19, for which the governor issued Executive Order Number 14 declaring a state of emergency, including any mutation of the virus or disease that is the subject of a declared public health emergency pursuant to § 58-2-107;

(2) "Coronavirus claim" means any claim that proximately arises from:

(A) The actual, alleged, or possible exposure to or contraction of coronavirus from a covered entity's operations, products, or services, whether provided on or off the premises of the covered entity; or

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(B) The covered entity's actions in response to coronavirus including:

(i) Implementing policies and procedures to prevent or minimize the spread of coronavirus;

(ii) Testing;

(iii) Monitoring, collecting, reporting, tracking, tracing, disclosing, or investigating coronavirus exposure or other coronavirus-related information;

(iv) Using, designing, manufacturing, providing, donating, or servicing precautionary, diagnostic, collection, or other health equipment or supplies, such as personal protective equipment;

(v) Closing, partially closing, or modifying a covered entity pursuant to public health guidance or to prevent or minimize the spread of coronavirus;

(vi) Delaying or modifying the schedule or performance of any medical procedure in response to public health guidance; or

(vii) Providing services or products in response to government appeal or the covered entity's repurposing operations to address an urgent need for personal protective equipment, sanitation products, or other products necessary to protect the public;

(3) "Covered entity" means the following entities, organizations, and any employee, volunteer, independent contractor, and subcontractor of the entity:

(A) A person, including an individual, sole proprietorship, corporation, limited liability company, partnership, trust, or association identified as an "essential service" in attachment A to executive order 22;

(B) A religious organization or nonprofit organization described in § 501(c) of the Internal Revenue Code that is exempt from federal income taxation under § 501(a) of the Internal Revenue Code, 26 U.S.C. § 501(a), or any other legal entity whether formed as a for-profit or not-for-profit entity pursuant to title 48;

(C) A healthcare provider; and

(D) A school, including a child care agency, as defined in § 71-3-501, child care program, as defined in § 49-1-1102, preschool, nursery school, kindergarten, elementary school, secondary school, or

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postsecondary institution that is authorized or exempt under title 49, chapter 7, but not including a public school as defined by § 49-6-3001, public postsecondary institution, or home school as defined in § 49-6-3050;

(4) "Healthcare provider" means:

(A) A healthcare provider that is licensed, certified, or authorized under title 33, 63, or 68 to provide healthcare or support services, or that is licensed to provide healthcare services under federal law, and any support personnel employed by or contracted with such provider;

(B) A student, intern, or resident acting under the supervision of a licensed healthcare provider for the discipline in which the student, intern, or resident is engaged; and

(C) Any medical or healthcare professional, individual, support personnel, or entity holding a license, registration, permit, certification, or approval pursuant to an executive order, including a temporary emergency license, registration, permit, certification, or approval, to practice a healthcare profession or occupation in this state, including under the Public Readiness and Emergency Preparedness Act and the final version of the U.S. Department of Homeland Security Cybersecurity and Infrastructure Security Agency Guidance on Essential Critical Infrastructure Workers, and any declaration of the federal department of health and human services in accordance with such act, under any emergency proclamation, order, or rule, adopted by a licensing board or agency pursuant to an authorizing emergency proclamation or executive order, or otherwise in response to the coronavirus; and

(5) "Public health guidance" means any of the following that is related to coronavirus and applicable to the covered entity:

(A) Guidance or direction provided in any plan, order, rule, request, or guidelines issued by:

(i) The president of the United States;

(ii) The federal or state government;

(iii) A local government, as authorized by the state government;

(iv) The federal centers for disease control and prevention;

(v) The department of homeland security;

(vi) An applicable federal or state occupational safety and health administration;

(vii) The governor;

(viii) The department of health; or

(ix) A public health department, as authorized by state government; or

(B) Guidance from or approved by any government agency or appointed taskforce or workgroup or medical specialty society accredited by the American Board of Medical Societies that is applicable to a covered entity and healthcare provider or to the coronavirus claim at issue.

SECTION 4.

(a)

(1) In a coronavirus claim, the claimant must plead specific facts with particularity from which a finder of fact could reasonably conclude that the harm alleged was caused by the covered entity's negligence and, if public health guidance applicable to the covered entity had been issued, that the covered entity failed to comply with any public health guidance applicable to the covered entity.

(2) In a coronavirus claim based on exposure to or contraction of coronavirus as a result of negligence and a covered entity's failure to comply with any public health guidance, if any had been issued, applicable to the covered entity the claimant or the claimant's counsel must file a certificate of good faith with the complaint stating that the claimant or claimant's counsel has consulted with one (1) or more experts who have provided a signed written statement confirming that the expert is competent to express an opinion on exposure to or contraction of coronavirus and, upon information and belief, the expert believes there is a good faith basis for maintaining the claim. Claimant or claimant's counsel need not disclose the identity of the expert and claimant or claimant's counsel need not rely on the same expert's testimony at trial or for purposes of disclosure under the requirements of Rule 26 of the Tennessee rules of civil procedure.

(3) The failure of a claimant to file a certificate of good faith, if required by subdivision (a)(2), makes, upon motion, the action subject to dismissal. A claim arising from the same set of facts and circumstances may be brought within one (1) year, or within the relevant statute of limitations, whichever is earlier.

(b)

(1) Notwithstanding any law to the contrary, a covered entity is not liable for damages, injury, or death that results from, or in connection with, a coronavirus claim unless the claimant proves by a preponderance of the evidence that:

(A) The covered entity caused the damage, injury, or death by acting with negligence; and

(B) If public health guidance applicable to the covered entity had been issued, the covered entity failed to comply with any public health guidance applicable to the covered entity.

(2) In addition to the limitation of liability provided under subdivision (b)(1), and notwithstanding any law to the contrary, a healthcare provider is not liable for any injury or death alleged to have been caused by an act or omission of the healthcare provider during the provision of healthcare services or treatment if the act or omission was caused by a lack of resources due to the coronavirus unless the lack of resources resulted from the healthcare provider's negligence.

(c) In any action brought under this section, the plaintiff bears the burden of proof to demonstrate the specific act or omission by the covered entity that constitutes negligence or the public health guidance with which the covered entity failed to comply, if any.

SECTION 5. This part does not amend, repeal, or limit any immunity, defense, or right that exists under current law or any contract that applies to a covered entity in a cause of action filed on or after the date on which this act takes effect. The limitation of liability provided by this part is not intended to infringe upon or otherwise limit any cause of action arising under current law or contract.

SECTION 6. This part must be construed in conjunction with the Facilitating Business Rapid Response to State-Declared Disaster Act, compiled in title 58, chapter 2, and any emergency order or proclamation issued by the governor relating to the coronavirus and civil liability.

SECTION 7. This part does not:

- (1) Create a cause of action;
- (2) Eliminate any cause of action not covered by this act;
- (3) Eliminate a required element of any existing cause of action;

(4) Affect workers' compensation claims, under the Workers' Compensation Law, compiled in title 50, chapter 6, including the exclusive application of such law; or

(5) Amend, repeal, alter, or affect any immunity or limitation of liability available under current law.

SECTION 8.

(a) This part applies to all causes of action accruing on or after the date on which this act takes effect upon becoming a law.

(b) This part remains in effect until August 1, 2021. Any coronavirus claim in which the act or omission occurred while this part is in effect is subject to the provisions of this part.

SECTION 9. Tennessee Code Annotated, Section 29-20-205, is amended by adding the following as a new subdivision:

(10) Or in connection with any loss, illness, or injury occurring before August 1, 2021, caused directly or indirectly by the coronavirus, as defined in Section 3, or as a result of action or inaction by any governmental entity or any of the entity's employees in response to or related to the coronavirus, unless the loss, illness, or injury was caused by negligence of the governmental entity or the entity's employees. In any cause of action brought pursuant to this subdivision (10), the claimant must prove negligence by the governmental entity or the entity's employees by a preponderance of the evidence.

SECTION 10. Tennessee Code Annotated, Section 29-20-310, is amended by adding the following as a new subsection:

(f) No claim may be brought against an employee or judgment entered against an employee for injury proximately caused by an act or omission of the employee within the employee's scope of employment in connection with any loss, illness, or injury occurring before August 1, 2021, caused directly or indirectly by the coronavirus, as defined in Section 3, unless the act or omission of the employee was willful, malicious, criminal, performed for personal financial gain, or against the advice or guidance of the employer or a supervisor. In any cause of action brought pursuant to this subsection (f), the claimant must prove that the act or omission of the employee was willful, malicious, criminal, performed for personal financial gain, or against the advice of the employer or a supervisor by a preponderance of the evidence.

SECTION 11. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

A public postsecondary institution is not liable for any act or omission by the institution or the institution's employees or agents that results in alleged or

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actual exposure to, contraction of, or illness or death arising from coronavirus, as defined in Section 3, unless the exposure, contraction, illness, or death was caused by negligence of the institution or the institution's employees. In any cause of action brought pursuant to this section, the claimant must prove that act or omission of the institution or the institution's employee constituted negligence by a preponderance of the evidence.

SECTION 12. Tennessee Code Annotated, Section 9-8-307, is amended by adding the following as a new subsection:

Notwithstanding any provision of this chapter to the contrary, the state does not waive sovereign immunity for civil liability for any act or omission by the state or any employee or agent of the state that results in alleged or actual exposure to, contraction of, or illness or death arising from coronavirus, as defined in Section 3. The determination of the state's liability shall be based on the traditional tort concepts of duty and the reasonably prudent person's standard of care.

SECTION 13. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 14. This act shall take effect upon becoming a law, the public welfare requiring it, and applies to all causes of action accruing on or after that date. This act shall cease to be effective August 1, 2021.

Rep. Curcio moved that House Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes	73
Noes.....	19

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Cochran, Coley, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--73

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Representatives voting no were: Beck, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Love, Miller, Mitchell, Powell, Staples, Stewart, Thompson, Towns--19

Rep. Clemmons moved adoption of House Amendment No. 4 as follows:

Amendment No. 4

AMEND Senate Bill No. 2381 by inserting the following new sections immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 29-39-102, is amended by deleting subdivision (a)(2) and substituting instead the following:

(2) Compensation for any noneconomic damages suffered by each injured plaintiff in an amount to be determined by the trier of fact for all injuries and occurrences that were or could have been asserted, regardless of whether the action is based on a single act or omission or a series of acts or omissions that allegedly caused the injuries or death.

SECTION _____. Tennessee Code Annotated, Section 29-39-102, is amended by deleting subsection (b) and substituting instead the following:

(b) If multiple defendants are found liable under the principle of comparative fault, the amount of all noneconomic damages shall be apportioned among the defendants based upon the percentage of fault for each defendant, so long as the plaintiff's comparative fault (or in a wrongful death action, the fault of the decedent) is not equal to or greater than fifty percent (50%), in which case recovery for any damages is barred.

SECTION _____. Tennessee Code Annotated, Section 29-39-102, is amended by deleting subsections (c) through (i) and subsection (n).

Rep. Curcio moved to table House Amendment No. 4, which motion prevailed by the following vote:

Ayes	70
Noes.....	21
Present and not voting.....	2

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Cochran, Coley, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--70

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Representatives voting no were: Beck, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Love, Miller, Mitchell, Parkinson, Powell, Staples, Stewart, Thompson, Towns, Windle--21

Representatives present and not voting were: Garrett, Hulse--2

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Tillis

REGULAR CALENDAR FROM JUNE 15, 2020, CONTINUED

Rep. Garrett moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Marsh moved the previous question, which motion prevailed by the following vote:

Ayes 73
Noes..... 19

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Cochran, Coley, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Holsclaw, Holt, Howell, Hulse, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Travis, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--73

Representatives voting no were: Beck, Chism, Clemmons, Dixie, Hakeem, Hardaway, Hill M, Hodges, Jernigan, Johnson G, Lamar, Love, Parkinson, Powell, Staples, Stewart, Towns, Van Huss, Windle--19

Rep. Curcio moved that **Senate Bill No. 2381**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 80
Noes..... 9
Present and not voting..... 4

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Cochran, Coley, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulse, Jernigan, Johnson C, Keisling,

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Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--80

Representatives voting no were: Beck, Clemmons, Hakeem, Hardaway, Hodges, Johnson G, Parkinson, Stewart, Towns--9

Representatives present and not voting were: Chism, Dixie, Lamar, Staples--4

A motion to reconsider was tabled.

***House Bill No. 1594** -- Transportation, Dept. of - As introduced, requires the commissioner to provide a report to the chairs of the transportation and safety committee of the senate and the transportation committee of the house of representatives whenever rules are promulgated regulating equipment required for vehicles as a condition to using the system of state highways or establishing particular highways upon which commercial motor vehicles may operate. - Amends TCA Title 55. by *Howell, *Russell. (SB1608 by *Massey, *Gilmore)

On motion, House Bill No. 1594 was made to conform with **Senate Bill No. 1608**; the Senate Bill was substituted for the House Bill.

Rep. Howell moved that Senate Bill No. 1608 be passed on third and final consideration.

Rep. Griffey moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1608 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-7-201, is amended by deleting subsection (c) and substituting instead the following:

(c) Motor vehicles consisting of a truck-tractor and semitrailer or trailer combination shall be permitted to operate over the federal and state highway system; provided, that the towed vehicle shall not exceed fifty-two feet (52') in length from the point of attachment to the tractor. If the towed vehicle exceeds forty-eight feet (48') in length from the point of attachment to the tractor and the load on the vehicle does not consist of livestock, motor vehicle parts, or motor vehicles, or any combination of such items, the distance between the kingpin and a point midway between the two (2) rear axles shall not exceed forty-one feet (41'). The distance between the kingpin and the rear most axle, if the axles are not a tandem axle, shall not exceed forty-four feet (44').

SECTION 2. This act shall take effect November 1, 2020, the public welfare requiring it.

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On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Howell moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1608 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 55-4-381, is amended by adding the following as a new subsection:

(d) Notwithstanding § 55-4-202(h)(1), The Center for Living and Learning, Inc. new specialty earmarked license plate authorized pursuant to this section shall have until July 1, 2021, to meet the applicable minimum issuance requirements of § 55-4-202(h)(1).

On motion, House Amendment No. 2 was adopted.

Rep. Howell moved that House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Howell moved that **Senate Bill No. 1608**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holt, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--90

A motion to reconsider was tabled.

House Bill No. 1760 -- Sunset Laws - As introduced, extends the polysomnography professional standards committee to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 31. by *Daniel, *Dunn. (*SB1682 by *Roberts)

On motion, House Bill No. 1760 was made to conform with **Senate Bill No. 1682**; the Senate Bill was substituted for the House Bill.

Rep. Daniel moved that Senate Bill No. 1682 be passed on third and final consideration.

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Rep. Rudder moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1682 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-31-101(2), is amended by deleting "standards committee" and substituting instead "standards advisory committee".

SECTION 2. Tennessee Code Annotated, Section 63-31-103(a), is amended by deleting the subsection and substituting instead the following:

There is created the polysomnography professional standards advisory committee. The committee is to advise the board in the performance of its duties under this chapter.

SECTION 3. Tennessee Code Annotated, Section 63-31-103, is amended by deleting subsections (l) and (m).

SECTION 4. Tennessee Code Annotated, Section 63-31-104, is amended by deleting the section and substituting instead the following:

The board has the power to:

(1) Promulgate rules, in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, that are necessary for the implementation and administration of this chapter;

(2) Establish the fees for temporary permits and for initial certification, renewal or reinstatement of a certification, late renewal of a certification, and replacement of a lost certification, at a level that is adequate to pay the expenses of implementing and administering this chapter, in accordance with § 63-1-137;

(3) Review and approve or reject the application of each person who applies for a specialty occupation certification as a polysomnographic technologist;

(4) Biennially review and approve or reject each application for a specialty occupational certification as a polysomnography technologist;

(5) Issue, in the board's name, all temporary permits and all approved certification and renewal of certification;

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(6) Collect or receive all fees, fines, and money owed pursuant to this chapter and pay the fees, fines, and money into the general fund of the state;

(7) Deny, suspend, revoke, restrict, or impose one (1) or more conditions on a certification as the board deems necessary or appropriate at the time a person is certified, renewed, or reinstated, or as a sanction imposed at the conclusion of a disciplinary hearing; provided that the board's actions are consistent with chapter 1, part 1 of this title;

(8) Issue private advisory letter rulings to any person certified under this chapter who makes a request for a ruling regarding any matter within the board's jurisdiction; provided, however, that the ruling affects only the person certified making the inquiry and has precedential value for any other contested case or inquiry before the board;

(9) Develop a code of ethics for the practice of polysomnography in this state;

(10) Develop standards of care for the practice of polysomnography in this state;

(11) Develop standards for the educational and clinical training of polysomnographic technologists, including the evaluation of the accreditation status of educational programs in polysomnography;

(12) Develop continuing education requirements for certified polysomnographic technologists; and

(13) Conduct disciplinary hearings in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and impose sanctions the board deems appropriate against an applicant, certified polysomnographic technologist, or a person who is not certified pursuant to this chapter but represents to the public that such person holds a specialty occupational certification as a polysomnography technologist.

SECTION 5. Tennessee Code Annotated, Section 63-31-105, is amended by deleting the section.

SECTION 6. Tennessee Code Annotated, Section 63-31-106, is amended by deleting the section and substituting instead the following:

(a)

(1) With the exception of subdivision (a)(2), a person may hold a specialty occupational certification as a polysomnography technologist. It is unlawful for an uncertified person to represent to the public that the person is certified under this chapter.

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(2) A person who is licensed to practice polysomnography on the date immediately preceding the effective date of this act is automatically qualified to be certified and all such fees for the person are waived.

(b) A person seeking to be certified as a polysomnographic technologist must be at least eighteen (18) years of age, must pay the fees established by the board for certification, and must present proof that the person satisfies the following requirements:

(1) The person meets one (1) of the following educational requirements:

(A) Graduated from a polysomnographic educational program that is accredited by the Commission on Accreditation of Allied Health Education Programs;

(B) Graduated from a respiratory care educational program that is accredited by the Commission on Accreditation of Allied Health Education Programs and completion of the curriculum for a polysomnography certificate established and accredited by the Committee on Accreditation for Respiratory Care of the Commission on Accreditation of Allied Health Education Programs;

(C) Graduated from an electroneurodiagnostic technologist educational program with a polysomnographic technology track that is accredited by the Commission on Accreditation of Allied Health Education Programs; or

(D) Graduated from an accredited polysomnographic technologist educational program in this state;

(2) Has passed the national certifying examination given by the board of registered polysomnographic technologists;

(3) Is credentialed by the board of registered polysomnographic technologists; and

(4) Meets any additional educational or clinical requirements established by the board.

(c) A person who is engaged in the practice of polysomnography on July 1, 2007, is eligible for certification under this chapter and is exempt from the educational requirements of subdivision (b)(1); provided, that the person meets the requirements of subdivisions (b)(2)-(4).

(d) A polysomnographic technologist must continue to be credentialed by the board of registered polysomnographic technologists to be eligible for renewal of certification to engage in the practice of polysomnography.

SECTION 7. Tennessee Code Annotated, Section 63-31-107(a), is amended by deleting "licensed" and substituting instead "certified".

SECTION 8. Tennessee Code Annotated, Section 63-31-107(a)(5), is amended by deleting "to have a second license as a polysomnographic technologist" and substituting instead "to be certified by the board".

SECTION 9. Tennessee Code Annotated, Section 63-31-108, is amended by deleting the section and substituting instead the following:

(a) Certification must be issued and renewed by the board pursuant to the biennial issuance and renewal system of the division of health related boards.

(b) A person who has been issued a certificate to practice under this chapter who decides to retire that certification shall file with the board an affidavit on a form to be furnished by the board stating the date on which the person retired from practice and other facts that verify the retirement as the board deems necessary. If the person later decides to reenter practice, then such person shall request reinstatement of certification.

(c) A certificate issued by the board must contain the name of the person to whom it is issued, the mailing address of the person, the date and number of the certification, and other information that the board deems necessary. The address contained on the certificate must be the address where all correspondence and renewal forms from the board must be sent. A person whose address changes shall, within thirty (30) days after the change in address, notify the board of the address change. The most recent address contained in the board's records for each certified person is the address deemed sufficient for purposes of service of process.

(d) A person certified pursuant to this chapter shall keep the certificate prominently displayed in the office or place in which the person practices or have it stored in a place from which it can be immediately produced upon request of a patient or representative of the department of health.

(e) A person whose certificate is lost may make application to the board for a replacement. The application must be accompanied by a written statement setting out the facts concerning the loss of the original certificate.

(f) A person whose name is changed by marriage or court order may surrender the person's certificate and apply to the board for a replacement certificate.

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SECTION 10. Tennessee Code Annotated, Section 63-31-109, is amended by deleting the section.

SECTION 11. Tennessee Code Annotated, Section 63-31-111, is amended by deleting "license" wherever it appears and substituting instead "certificate".

SECTION 12. Tennessee Code Annotated, Section 63-31-112, is amended by deleting "committee" and substituting instead "board", and deleting subsection (c).

SECTION 13. Tennessee Code Annotated, Section 63-31-113, is amended by deleting "licensed" and substituting instead "certified".

SECTION 14. Tennessee Code Annotated, Section 63-31-114, is amended by deleting the section.

SECTION 15. Members of the polysomnography professional standard committee on December 31, 2020, shall continue to serve as members of the polysomnography standards advisory committee on January 1, 2021, subject to the will of the appointing authority.

SECTION 16. Tennessee Code Annotated, Section 4-29-241(a)(36), is amended by deleting the subdivision.

SECTION 17. Tennessee Code Annotated, Section 4-29-243(a), is amended by inserting the following as a new subdivision:

Polysomnography professional standards advisory committee, created by § 63-31-103;

SECTION 18. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2021, the public welfare requiring it.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Rudder moved adoption of Government Operations Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1682 by deleting "has precedential value" in subdivision (8) of Section 4 and substituting instead "has no precedential value".

On motion, Government Operations Committee Amendment No. 2 was adopted.

Rep. Daniel moved that the House consider House Amendment No. 3 pursuant to **Rule No. 60 (B)**, which motion prevailed by the following vote:

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Ayes 91
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

Rep. Daniel moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1682 by deleting Section 10 and substituting instead the following:

SECTION 10. Tennessee Code Annotated, Section 63-31-109, is amended by deleting the section and substituting instead the following:

(a) The board has the power to impose any sanctions on a person who is certified under this chapter, up to and including certification revocation, if the person certified is found guilty of violating any of the provisions of this chapter or of committing any of the following acts or offenses:

(1) Making false or misleading statements or committing fraud in procuring certification;

(2) Gross health care liability, ignorance, negligence or incompetence in the course of professional practice;

(3) Making or signing in one's professional capacity any document that is known to be false at the time it is made or signed;

(4) Engaging in the practice of polysomnography when mentally or physically unable to safely do so;

(5) Making false statements or representations or being guilty of fraud or deceit in the practice of polysomnography when mentally or physically unable to safely do so;

(6) Undertaking any duties that are outside the authorized scope of practice of a specialty occupational certification as a polysomnographic technologist, as set forth in this chapter;

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(7) Violating the code of ethics adopted by the board for specialty occupational certification as a polysomnography technologist;

(8) Use or attempted use of a polysomnographic procedure or equipment for which the person certified has not received sufficient education or training in the proper use of that procedure or equipment;

(9) Willfully failing to file, or willfully impeding the filing of, any report or record that is required by law;

(10) Knowingly failing to meet appropriate standards for the delivery of polysomnographic services; and

(11) Breaching patient confidentiality.

(b) An action taken under this section shall be subject to the applicable provisions of the Fresh Start Act that are compiled in chapter 1, part 1 of this title.

AND FURTHER AMEND by adding the following section immediately preceding the last section and renumbering the subsequent section:

SECTION 18. Tennessee Code Annotated, Section 63-31-110, is amended by deleting the section.

On motion, House Amendment No. 3 was adopted.

Rep. Daniel moved that **Senate Bill No. 1682**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	80
Noes.....	7
Present and not voting.....	4

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Cochran, Crawford, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Moody, Moon, Ogles, Parkinson, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--80

Representatives voting no were: Clemmons, Dixie, Hardaway, Jernigan, Johnson G, Mitchell, Stewart--7

Representatives present and not voting were: Beck, Hodges, Lamar, Powell--4

A motion to reconsider was tabled.

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***House Bill No. 2785** -- Administrative Procedure (UAPA) - As introduced, removes the limitation that only the chancery court of Davidson County is authorized to review a contested case hearing where a declaratory order is issued. - Amends TCA Title 4. by *Daniel. (SB2593 by *Niceley)

Rep. Daniel moved that House Bill No. 2785 be passed on third and final consideration.

Rep. Rudder moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2785 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-5-223(a)(1), is amended by deleting "of Davidson County".

SECTION 2. Tennessee Code Annotated, Section 4-5-225(a), is amended by deleting "of Davidson County".

SECTION 3. Tennessee Code Annotated, Section 4-5-226, is amended by adding the following as new subsections:

(n)

(1)

(A) The government operations committee of the house of representatives or senate may request an agency to:

(i) Repromulgate a rule that has been in effect for eight (8) or more years; or

(ii) Repeal a rule deemed obsolete by one (1) or both of the committees or the agency.

(B) Subdivision (n)(1)(A) applies to rules filed prior to or after the effective date of this act.

(C) Any agency that is requested to repromulgate a rule under subdivision (n)(1)(A)(i) shall initiate the rulemaking process within ninety (90) days of the request by the committee or be subject to subdivision (n)(2).

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(2) If the agency fails to comply with the government operations committee's request to repromulgate a rule pursuant to this chapter, the government operations committee of the house of representatives or senate may vote to request the general assembly to suspend any or all of the agency or related agency's rulemaking authority for any reasonable period of time or with respect to any subject matter, by legislative enactment.

(o) Notwithstanding this section to the contrary, all rules filed with the secretary of state on or after July 1, 2020, expire eight (8) years from their effective date.

SECTION 4. This act shall take effect October 1, 2020, the public welfare requiring it.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Daniel moved that **House Bill No. 2785**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

Representatives voting no were: Powell--1

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Carter

REGULAR CALENDAR FROM JUNE 15, 2020, CONTINUED

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***House Bill No. 1976** -- Education, State Board of - As introduced, gives the state board of education administrative subpoena power in connection with investigations related to licensure disciplinary actions. - Amends TCA Title 49, Chapter 1, Part 3 and Title 49, Chapter 5. by *White, *Dunn, *DeBerry, *Haston, *Rudder, *Cepicky, *Hurt, *Leatherwood. (SB2260 by *Gresham, *Haile, *Hensley)

On motion, House Bill No. 1976 was made to conform with **Senate Bill No. 2260**; the Senate Bill was substituted for the House Bill.

Rep. White moved that **Senate Bill No. 2260** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 2

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Casada, Cepicky, Chism, Cochran, Coley, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--88

Representatives voting no were: Clemmons, Mitchell--2

A motion to reconsider was tabled.

House Bill No. 2283 -- Dentists and Dentistry - As introduced, adds dental hygiene diagnosis to the practice of dental hygiene; permits a dentist to supervise up to 10 dental hygienists when providing dental services on a volunteer basis through a nonprofit provider of free mobile clinics; permits dental hygienists to place sealants or apply fluoride to a patient without prior examination by a dentist. - Amends TCA Title 63, Chapter 5. by *Hill M, *Cooper, *Cochran, *Smith, *Doggett, *Helton, *Powers. (*SB2017 by *Massey, *Crowe, *Jackson, *Yarbro)

On motion, House Bill No. 2283 was made to conform with **Senate Bill No. 2017**; the Senate Bill was substituted for the House Bill.

Rep. M. Hill moved that Senate Bill No. 2017 be passed on third and final consideration.

Rep. Terry moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. M. Hill moved that **Senate Bill No. 2017** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 91
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

A motion to reconsider was tabled.

***House Bill No. 2275** -- Criminal Offenses - As introduced, deletes the offense of impersonation of a licensed professional. - Amends TCA Title 39, Chapter 16, Part 3. by *Curcio, *Freeman. (SB2749 by *Bell)

Rep. Curcio moved that House Bill No. 2275 be passed on third and final consideration.

Rep. Garrett moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2275 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-16-302, is amended by deleting the section and substituting instead the following:

(a)

(1) It is unlawful for any person who is not licensed, certified, or registered to do so, to practice or pretend to be licensed, certified, or registered to practice a profession listed in subdivision (a)(2) that requires a licensure, certification, or registration.

(2) This subsection (a) applies to the following licenses, certifications, and registrations:

(A) A license issued by the board of law examiners, created under § 23-1-101;

(B) The licensure of services and facilities operated pursuant to title 33, chapter 2, part 4, for the provision of mental health services, alcohol, and drug abuse prevention or treatment;

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for the provision of services for intellectual and developmental disabilities; and for personal support services;

(C) A license issued by any licensing authority created under titles 41, 48, 49, 56, and 71;

(D) A license issued by the department of financial institutions, when acting as a licensing authority pursuant to title 45;

(E) Any license, certificate, or registration issued pursuant to the rules of the supreme court;

(F) The licensure of pain management clinics licensed pursuant to title 63, chapter 1, part 3; or

(G) The licensure of physicians under title 63, chapter 6 or 9.

(b) A person who is not licensed to engage in a practice, and practices or pretends to be licensed to practice a profession for which a license certifying the qualifications of the licensee to practice the profession is required, other than a license listed in subsection (a), may be prosecuted for criminal impersonation, pursuant to § 39-16-301.

(c) A violation of subsection (a) is a Class E felony.

SECTION 2. Tennessee Code Annotated, Section 39-16-301(a), is amended by inserting the following language as a new subdivision:

() Pretends to be licensed to practice, or practices without a license, a profession for which a license certifying the qualifications of the licensee to practice the profession is required, other than a license listed in § 39-16-302(a)(2);

SECTION 3. This act shall take effect October 1, 2020, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Curcio moved that **House Bill No. 2275**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes..... 2

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Dunn,

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Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--87

Representatives voting no were: Doggett, Lamberth--2

A motion to reconsider was tabled.

***House Bill No. 547** -- Criminal Procedure - As introduced, restores the voting rights of persons convicted of certain infamous crimes upon receipt of a pardon or completion of any sentence of incarceration, parole, or probation. - Amends TCA Section 2-2-102 and Title 40, Chapter 29. by *Curcio, *Love, *Lamberth, *Farmer, *Faison, *Chism, *Hardaway, *Towns, *Potts, *Freeman, *Hodges, *Windle, *Johnson G, *Staples, *Terry, *Stewart, *White, *Hakeem, *Lamar. (SB589 by *Dickerson, *Gilmore, *Akbari, *Robinson, *Yager)

Rep. Curcio moved that House Bill No. 547 be passed on third and final consideration.

Rep. Garrett moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 547 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-29-101(a), is amended by deleting the subsection and substituting instead the following:

Persons rendered infamous or deprived of the rights of citizenship by the judgment of any state or federal court may have their full rights of citizenship restored by the circuit court; however, a person described in § 40-29-204 is never eligible to register and vote in this state.

SECTION 2. Tennessee Code Annotated, Section 40-29-202, is amended by deleting subsections (b) and (c) and substituting instead the following:

(b) Notwithstanding subsection (a), a person is not eligible to apply for a voter registration card and have the right of suffrage restored, unless the person:

(1) Has paid all restitution to the victim or victims of the offense ordered by the court as part of the sentence;

(2) Is current in all child support obligations; and

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(3) Beginning September 1, 2010, has paid all court costs assessed against the person at the conclusion of the person's trial, except where the court has made a finding at an evidentiary hearing that the applicant is indigent at the time of application.

(c) Notwithstanding subsection (b):

(1) A person is eligible to apply for a voter registration card and have the right of suffrage provisionally restored if the person:

(A) Enters into a payment plan to pay all unpaid restitution to the victim or victims of the offense ordered by the court as part of the sentence;

(B) Enters into a payment plan to become current in all unpaid child support obligations; and

(C) Enters into a payment plan to pay all unpaid court costs assessed against the person at the conclusion of the person's trial, except where the court has made a finding at an evidentiary hearing that the applicant is indigent at the time of application.

(2) If a person willfully fails to adhere to the terms of a payment plan entered into pursuant to this subsection (c), the court may revoke the person's provisional right of suffrage. Prior to revoking a person's provisional right of suffrage, the court shall offer the person the opportunity to be heard and to submit proof of the person's financial inability to pay, which may include a signed affidavit of indigency.

SECTION 3. This act shall take effect January 1, 2021, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Curcio moved that **House Bill No. 547**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes.....	0
Present and not voting.....	3

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Casada, Cepicky, Chism, Clemmons, Cochran, Coley, Curcio, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ramsey,

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Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--86

Representatives present and not voting were: Crawford, Griffey, Ragan--3

A motion to reconsider was tabled.

House Bill No. 2201 -- Mobile Homes and Manufactured Buildings - As introduced, removes the commissioner of the department of commerce and insurance's ability to establish a monitoring inspection fee paid by manufactured home manufacturers. - Amends TCA Title 55; Title 67 and Title 68. by *Tillis, *Whitson. (*SB1775 by *Massey, *Gresham, *Niceley, *Pody, *Stevens)

Rep. Faison moved that **House Bill No. 2201** be reset for the next available Regular Calendar, which motion prevailed.

***Senate Joint Resolution No. 1315** -- Memorials, Death - Ashanti Nikole Posey. by *Yarbro. (*Clemmons)

Rep. Love moved the House concur in **Senate Joint Resolution No. 1315**, which motion failed by the following vote:

Ayes	45
Noes.....	1
Present and not voting.....	39

Representatives voting aye were: Baum, Beck, Bricken, Byrd, Carr, Chism, Clemmons, Coley, Curcio, Dixie, Dunn, Eldridge, Faison, Farmer, Freeman, Hakeem, Hardaway, Haston, Hazlewood, Helton, Hicks, Hodges, Jernigan, Johnson G, Lamar, Love, Lynn, Miller, Mitchell, Parkinson, Powell, Powers, Ramsey, Reedy, Shaw, Sparks, Staples, Stewart, Thompson, Towns, Travis, Vaughan, Whitson, Windle, Mr. Speaker Sexton--45

Representatives voting no were: Hall--1

Representatives present and not voting were: Boyd, Casada, Cepicky, Cochran, Crawford, Daniel, Gant, Garrett, Griffey, Grills, Halford, Hawk, Hill M, Holsclaw, Holt, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Marsh, Moody, Moon, Ragan, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Todd, White, Williams, Wright, Zachary--39

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Senate Joint Resolution No. 1315, having failed to receive a constitutional majority, was thereby re-referred to the Committee on Calendar and Rules.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Joint Resolution No. 1315** and have this statement entered in the Journal: Rep. Helton.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Joint Resolution No. 1315** and have this statement entered in the Journal: Rep. Lynn.

REGULAR CALENDAR FROM JUNE 15, 2020, CONTINUED

***House Bill No. 1482** -- Comptroller, State - As introduced, requires the department of audit, as part of its performance review of state entities under the governmental entity review law, to conduct a comprehensive analysis of the extent to which the entity is in compliance with Title VI of the Civil Rights Act. - Amends TCA Title 4, Chapter 21 and Title 4, Chapter 3. by *Hardaway. (SB1294 by *Pody)

Rep. Hardaway moved that **House Bill No. 1482** be reset for the next available Regular Calendar, which motion prevailed.

House Bill No. 2643 -- Law Enforcement - As introduced, includes in the requirement that a law enforcement officer have good moral character, that the officer must not be a member of a hate group or terrorist organization; states that membership in a hate group or terrorist organization is sufficient grounds for termination of a law enforcement officer for lack of good moral character. - Amends TCA Title 38. by *Towns, *Stewart, *Hardaway, *Lamar. (*SB2134 by *Gilmore)

Rep. Towns moved that **House Bill No. 2643** be reset for the next available Regular Calendar, which motion prevailed.

***House Bill No. 1991** -- Motor Vehicles - As introduced, authorizes businesses to provide for specially marked parking spaces for pregnant women and persons with infants. - Amends TCA Title 55. by *Hardaway, *Jernigan, *Whitson, *Ramsey, *Lamar, *Thompson. (SB2008 by *Bowling)

Rep. Hardaway moved that **House Bill No. 1991** be reset for the next available Regular Calendar, which motion prevailed.

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REGULAR CALENDAR, CONTINUED

***House Bill No. 2910** -- Utilities, Utility Districts - As introduced, changes the compensation, from an amount not to exceed \$1,000 annually to an amount not to exceed \$200 monthly, for the board of directors of the Reelfoot Lake regional utility and planning district. - Amends Chapter 222 of the Public Acts of 1983. by *Grills. (SB2920 by *Jackson)

Rep. Grills moved that **House Bill No. 2910** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	74
Noes.....	1
Present and not voting.....	4

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Calfee, Carr, Casada, Cepicky, Cochran, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Hardaway, Haston, Hawk, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Mr. Speaker Sexton--74

Representatives voting no were: Clemmons--1

Representatives present and not voting were: Byrd, Crawford, Hakeem, Powell--4

A motion to reconsider was tabled.

House Resolution No. 340 -- Memorials, Congratulations - Memorializes the mainstream media for sensationalism to advance their political agendas. by *Van Huss.

Rep. Van Huss moved that **House Resolution No. 340** be reset for the Regular Calendar on June 18, 2020, which motion prevailed.

House Resolution No. 343 -- Memorials, Congratulations - Congratulates the House of Representatives for recognizing the need to amend the Constitution of this State to ensure that each bill passed by a house of the General Assembly is voted upon by both houses prior to adjournment. by *Van Huss, *Ogles, *Doggett, *Haston, *Weaver, *Tillis, *Ragan, *Rudd, *Hulsey, *Eldridge, *Grills, *Todd, *Holt, *Griffey, *Bricken, *Leatherwood, *Sexton J, *Crawford, *Daniel, *Littleton, *Moody, *Calfee, *Cepicky, *Rudder, *Hall, *Hill T, *Gant, *Sparks, *Lamberth.

Rep. Van Huss moved adoption of **House Resolution No. 343**, which motion prevailed by the following vote:

Ayes	69
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Noes..... 3
Present and not voting..... 8

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Casada, Cepicky, Cochran, Coley, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hawk, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lamberth, Leatherwood, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Towns, Van Huss, Vaughan, Weaver, White, Williams, Windle, Zachary, Mr. Speaker Sexton--69

Representatives voting no were: Clemmons, Dixie, Hodges--3

Representatives present and not voting were: Beck, Hardaway, Hazlewood, Powell, Staples, Travis, Whitson, Wright--8

A motion to reconsider was tabled.

***House Joint Resolution No. 1229** -- Memorials, Recognition - General James Norman Mattis, United States Marine Corps (ret.). by *Hodges, *Parkinson, *Stewart, *Clemmons, *Johnson G, *Windle, *Freeman, *Wright, *DeBerry, *Jernigan.

Rep. Hodges moved that **House Joint Resolution No. 1229** be reset for the next available Regular Calendar, which motion prevailed.

***House Joint Resolution No. 1230** -- Memorials, Professional Achievement - Dr. Nancy Williamson, University of Tennessee Educators Hall of Fame. by *Keisling.

BILL WITHDRAWN

On motion of Rep. Keisling, **House Joint Resolution No. 1230** was withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 815 Rep. Hazlewood as prime sponsor.

House Bill No. 384 Rep. Whitson as prime sponsor.

House Bill No. 1387 Reps. Boyd, Love, Helton, Carter, Hall and Howell as prime sponsors.

House Bill No. 1424 Reps. Tillis, Hazlewood, Gant and Whitson as prime sponsors.

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House Bill No. 1471 Rep. Clemmons as prime sponsor.

House Bill No. 1615 Rep. Whitson as prime sponsor.

House Bill No. 1715 Reps. Staples, Love, Faison, Coley, Windle, Towns, Jernigan and Stewart as prime sponsors.

House Bill No. 1903 Rep. Hazlewood as prime sponsor.

House Bill No. 1991 Reps. Lamar and Thompson as prime sponsors.

House Bill No. 2113 Rep. Terry as prime sponsor.

House Bill No. 2123 Rep. Whitson as prime sponsor.

House Bill No. 2168 Rep. Whitson as prime sponsor.

House Bill No. 2191 Rep. Whitson as prime sponsor.

House Bill No. 2492 Rep. Faison as prime sponsor.

House Bill No. 2507 Rep. Whitson as prime sponsor.

House Bill No. 2643 Reps. Stewart, Hardaway, Lamar and Thompson as prime sponsors.

House Bill No. 2931 Reps. T. Hill, M. Hill, Van Huss, Lafferty, Hulsey and Byrd as prime sponsors.

House Bill No. 2936 Rep. Stewart as prime sponsor.

SPONSORS REMOVED

On Motion, Rep. Moon was removed as sponsor of **House Bill No. 1830**.

MESSAGE FROM THE SENATE

June 16, 2020

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1204, 1205, 1206, 1207, 1212 and 1214; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

REPORT OF CHIEF ENGROSSING CLERK

June 16, 2020

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MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1204, 1205, 1206, 1207, 1212 and 1214; for his action.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
June 16, 2020**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191 and 1192; with his approval.

LANG WISEMAN, Deputy and Counsel to the Governor

**SIGNED
June 16, 2020**

The Speaker announced that he had signed the following: House Bills Nos. 1708, 1750, 2255, 2461, 2586, 2588 and 2909.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
June 16, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 1330, 1331, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342 and 1355; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
June 16, 2020**

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 1330, 1331, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342 and 1355.

TAMMY LETZLER, Chief Clerk

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**ENGROSSED BILLS
June 16, 2020**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 1131, 2093, 2126, 2278, 2395, 2459, 2714, 2867, 2881, 2900, 2904, 2914 and 2926; House Joint Resolutions Nos. 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240 and 1241.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
June 16, 2020**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 350, 351, 353 and 354; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
June 16, 2020**

The Speaker announced that he had signed the following: House Resolutions Nos. 350, 351, 353 and 354.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
June 16, 2020**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 547, 2275, 2785 and 2910.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
June 16, 2020**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution No. 343; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
June 16, 2020**

The Speaker announced that he had signed the following: House Resolution No. 343.

GREG GLASS, Chief Engrossing Clerk

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ROLL CALL

The roll call was taken with the following results:

Present..... 84

Representatives present were Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Casada, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, Doggett, Eldridge, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 84

PRESENT IN CHAMBER

Rep. Hodges was recorded as being present in the Chamber.

RECESS

On motion of Rep. Lamberth, the House stood in recess until 11:00 a.m., Wednesday, June 17, 2020.